



CITY OF SOLANA BEACH

SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY, PUBLIC FINANCING AUTHORITY, AND HOUSING AUTHORITY

AGENDA

Joint REGULAR Meeting

Wednesday, October 27, 2021 * 6:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California

This meeting will be conducted in accordance with Government Code sections 54953(e) and 54954.3 and other applicable law.

MEETING LOCATION WILL NOT BE OPEN TO THE PUBLIC

Due to the Executive Order to stay home, in person participation at City Council meetings will not be allowed at this time. In accordance with the Executive Order to stay home, there will be no members of the public in attendance at Council Meetings. Alternatives to in-person attendance for viewing and participating in City Council meetings are being provided under provided below.

AGENDA MATERIALS

A full City Council agenda packet including relative supporting documentation is posted online www.cityofsolanabeach.org Closed Session Agendas are posted at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings.

WATCH THE MEETING

- Live web-streaming: Meetings web-stream live on the City's website on the City's [Public Meetings](#) webpage. Find the large Live Meeting button.
- Live Broadcast on Local Govt. Channel: Meetings are broadcast live on Cox Communications - Channel 19 / Spectrum (Time Warner)-Channel 24 / AT&T U-verse Channel 99.
- Archived videos online: The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings. Council meeting tapings are archived and available for viewing on the City's [Public Meetings](#) webpage.

PUBLIC COMMENTS

- Written correspondence (supplemental items) regarding an agenda item at an open session meeting should be submitted to the City Clerk's Office at clerkoffice@cosb.org with a) Subject line to include the meeting date b) Include the Agenda Item # as listed on the Agenda.
- Correspondence received after the official posting of the agenda, but before 3:00 p.m. (or 3 hrs. prior to the meeting start time) on the meeting day, will be distributed to Council and made available online along with the agenda posting. All submittals received before the start of the meeting will be made part of the record.
- Written submittals will be added to the record and not read out loud.
- The designated location for viewing supplemental documents is on the City's website www.cityofsolanabeach.org on the posted Agenda under the relative Agenda Item.

OR

Verbal comment participation: If you wish to provide a live verbal comment during the meeting, attend the virtual meeting via your computer or call in.

Before Meeting

- Alert Clerk's Office. We ask that you alert us that you will joining the meeting to speak. Please email us at clerkoffice@cosb.org to let us know which item you will speaking on. This allows our Staff to manage speakers more efficiently.
- Watch the Meeting OR Make A Public Comment

<https://cosb-org.zoom.us/j/85435537211?pwd=anI2cmNwTUplJREZKRvd2SkpaazdYUT09>

Webinar ID: 854 3553 7211 Passcode: 850626

If you cannot log on or need to use a phone for audio quality, use one of these call-in numbers:
888 475 4499 (Toll Free) or 833 548 0276 (Toll Free)

- Join/Log-In to the meeting at least 15 minutes prior to the start time so that the City Clerk can verify you are ready to speak before the meeting begins.
- Audio Accessibility: If your computer does not have a microphone or you have sound issues, you can call-in from a landline or cell phone and use it as your audio (phone # is provided once you log in to Zoom, see above). If you call in for better audio, mute your computer's speakers to eliminate feedback so that you do not have two audios when you are speaking.

During Meeting:

- During each Agenda Item and Oral Communications, attendees will be asked if they would like to speak. Speakers are taken during each agenda item.
- Speakers will be asked to raise their hand (zoom icon under participants can be clicked or on the phone you can dial *9) if they would like to be called on to speak during each item. We will call on you by your log in name or the last 4 digits of your phone #. When called on by the meeting organizer, we will unmute so you may provide comments for the allotted time. Allotted speaker times are listed under each [Agenda](#) section.
- Choose Gallery View to see the presentations, when applicable.

SPECIAL ASSISTANCE NEEDED - AMERICAN DISABILITIES ACT TITLE 2

In compliance with the Americans with Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office (858) 720-2400 clerkoffice@cosb.org at least 72 hours prior to the meeting.

CITY COUNCILMEMBERS			
Lesa Heebner, Mayor			
Kristi Becker Deputy Mayor	Kelly Harless Councilmember	David A. Zito Councilmember District 1	Jewel Edson Councilmember District 3
Gregory Wade City Manager	Johanna Canlas City Attorney	Angela Ivey City Clerk	

SPEAKERS:

See Public Participation on the first page of the Agenda for publication participation options.

READING OF ORDINANCES AND RESOLUTIONS:

Pursuant to [Solana Beach Municipal Code](#) Section 2.04.460, at the time of introduction or adoption of an ordinance or adoption of a resolution, the same shall not be read in full unless after the reading of the title, further reading is requested by a member of the Council. If any Councilmember so requests, the ordinance or resolution shall be read in full. In the absence of such a request, this section shall constitute a waiver by the council of such reading.

CALL TO ORDER AND ROLL CALL:

CLOSED SESSION REPORT:

FLAG SALUTE:

PROCLAMATIONS/CERTIFICATES: *Ceremonial*

- Honoring Hispanic and Latino Heritage Month

PRESENTATIONS: Ceremonial items that do not contain in-depth discussion and no action/direction.
None at the posting of this agenda

APPROVAL OF AGENDA:

ORAL COMMUNICATIONS:

Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.

This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today's agenda by having submitted written comments for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. Comments relating to items on this evening's agenda are taken at the time the items are heard. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

An opportunity for City Council to make brief announcements or report on their activities. These items are not agendaized for official City business with no action or substantive discussion.

A. CONSENT CALENDAR: (Action Items) (A.1. - A.4.)

Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

Those items removed from the Consent Calendar by a member of the Council will be trailed to the end of the agenda, while Consent Calendar items removed by the public will be discussed immediately after approval of the Consent Calendar.

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the September 8, 2021 Council Meeting.

[Item A.1. Document \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

A.2. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for September 25, 2021 – October 08, 2021.

[Item A.2. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

A.3. General Fund Budget Adjustments for Fiscal Year 2021/2022. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2021/2022 General Fund Adopted Budget.

[Item A.3. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

A.4. Destruction of Obsolete Records. (File 170-50)

Recommendation: That the City Council

1. Adopt **Resolution 2021-122** authorizing the destruction of officially obsolete records.

[Item A.4. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

C. STAFF REPORTS: (C.1. – C.4.)

Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.

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C.1. Lomas Santa Fe Corridor Improvement Project – Phase III Update.

(File 0820-15)

Recommendation: That the City Council

1. Receive the final report and provide input and comments on the Lomas Santa Fe Corridor Improvement Project.

[Item C.1. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

C.2. Oppose New Offshore Oil and Gas Drilling and Support the American Coasts and Oceans Protection Act (HR 3053). (File 0480-60)

Recommendation: That the City Council

1. Adopt **Resolution 2021-123** to oppose new offshore oil and gas drilling and to express support of the American Coasts and Oceans Protection Act (HR 3053).

[Item C.2. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

C.3. General Fund Update (Unaudited) for Fiscal Year (FY) 2020/21. (File 0330-80)

Recommendation: That the City Council

1. Accept and file the General Fund Update for Fiscal Year 2020/21.
2. Provide direction to Staff regarding whether to use an amount of the projected General Fund surplus to fund the PARS Irrevocable Trust for Pensions as part of a budget appropriation to the General Fund Unreserved Fund Balance, and other funds as determined by the Finance Department, in Fiscal Year 2021/22.
3. Approve **Resolution 2021-124** revising appropriations in the Fiscal Year 2020/21 and Fiscal Year 2021/22 budgets.

[Item C.3. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

C.4. Introduce (1st Reading) Ordinances Nos. 519 and 520 – Amending Sections 6.36.010, 6.36.040, 17.56.020 and 17.56.080 of the Solana Beach Municipal Code to Comply with State Mandated Organic Waste Disposal Requirements.
(File 1030-50)

Recommendation: That the City Council

1. Introduce (1st readings) **Ordinance 519** and **Ordinance 520** amending Sections 6.36.010, 6.36.040, 17.56.020 and 17.56.080 to the Solana Beach Municipal Code to address State organics recycling mandates.

[Item C.4. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

WORK PLAN COMMENTS:

Adopted June 23, 2021

COMPENSATION & REIMBURSEMENT DISCLOSURE:

GC: Article 2.3. Compensation: 53232.3. (a) Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. 53232.3 (d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency "City" at the next regular meeting of the legislative body.

COUNCIL COMMITTEE REPORTS: [Council Committees](#)

REGIONAL COMMITTEES: (outside agencies, appointed by this Council)

- a. City Selection Committee (meets twice a year) Primary-Heebner, Alternate-Edson
- b. Clean Energy Alliance (CEA) JPA: Primary-Becker, Alternate-Zito
- c. County Service Area 17: Primary- Harless, Alternate-Edson
- d. Escondido Creek Watershed Authority: Becker /Staff (no alternate).
- e. League of Ca. Cities' San Diego County Executive Committee: Primary-Becker, Alternate-Harless. Subcommittees determined by its members.
- f. League of Ca. Cities' Local Legislative Committee: Primary-Harless, Alternate-Becker
- g. League of Ca. Cities' Coastal Cities Issues Group (CCIG): Primary-Becker, Alternate-Harless
- h. North County Dispatch JPA: Primary-Harless, Alternate-Becker
- i. North County Transit District: Primary-Edson, Alternate-Harless

- j. Regional Solid Waste Association (RSWA): Primary-Harless, Alternate-Zito
- k. SANDAG: Primary-Heebner, 1st Alternate-Zito, 2nd Alternate-Edson. Subcommittees determined by its members.
- l. SANDAG Shoreline Preservation Committee: Primary-Becker, Alternate-Zito
- m. San Dieguito River Valley JPA: Primary-Harless, Alternate-Becker
- n. San Elijo JPA: Primary-Zito, Primary-Becker, Alternate-City Manager
- o. 22nd Agricultural District Association Community Relations Committee: Primary-Edson, Primary-Heebner

STANDING COMMITTEES: (All Primary Members) (Permanent Committees)

- a. Business Liaison Committee – Zito, Edson.
- b. Fire Dept. Management Governance & Organizational Evaluation – Harless, Edson
- c. Highway 101 / Cedros Ave. Development Committee – Edson, Heebner
- d. Parks and Recreation Committee – Zito, Harless
- e. Public Arts Committee – Edson, Heebner
- f. School Relations Committee – Becker, Harless
- g. Solana Beach-Del Mar Relations Committee – Heebner, Edson

CITIZEN COMMISSION(S)

- a. Climate Action Commission: Primary-Zito, Alternate-Becker

ADJOURN:

Next Regularly Scheduled Meeting is November 10, 2021

Always refer the City's website Event Calendar for Special Meetings or an updated schedule.

Or Contact City Hall 858-720-2400

www.cityofsolanabeach.org

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA }
 COUNTY OF SAN DIEGO } §
 CITY OF SOLANA BEACH }

I, Angela Ivey, City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the October 27, 2021 Council Meeting was called by City Council, Successor Agency to the Redevelopment Agency, Public Financing Authority, and the Housing Authority of the City of Solana Beach, California, was provided and posted on October 20, 2021 at 4:45 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., October 27, 2021, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk * City of Solana Beach, CA

CITIZEN CITY COMMISSION AND COMMITTEE MEETINGS:

Regularly Scheduled, or Special Meetings that have been announced, are posted on each Citizen Commission's Agenda webpage. See the [Citizen Commission's Agenda webpages](#) or the City's Events [Calendar](#) for updates.

- **Budget & Finance Commission**
- **Climate Action Commission**
- **Parks & Recreation Commission**
- **Public Arts Commission**
- **View Assessment Commission**



CITY OF SOLANA BEACH

SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY,
PUBLIC FINANCING AUTHORITY, AND HOUSING AUTHORITY

AGENDA

Joint – Closed Session

Wednesday, September 8, 2021 ♦ 5:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California

This meeting will be conducted in accordance with Governor Newsom's

Executive Order N-29-20 related to the COVID-19 virus.

CITY COUNCILMEMBERS

Lesa Heebner, Mayor

Kristi Becker
Deputy Mayor

Kelly Harless
Councilmember

David A. Zito
Councilmember
District 1

Jewel Edson
Councilmember
District 3

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 5:00 p.m.

Present: Lesa Heebner, Kristi Becker, Kelly Harless, David A. Zito, Jewel Edson
Absent: None
Also Present: Gregory Wade, City Manager
Johanna Canlas, City Attorney

PUBLIC COMMENT ON CLOSED SESSION ITEMS (ONLY): None

Report to Council Chambers and submit speaker slips to the City Clerk before the meeting recesses to closed session.

CLOSED SESSION:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

- Coronado, Imperial Beach, Lemon Grove & Solana Beach v. SANDAG, et al (Case No. 37-2020-00033974-CU-MC-CTL)

No reportable action.

ADJOURN:

Mayor Heebner adjourned the meeting at 5:26 p.m.



CITY OF SOLANA BEACH

SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY, PUBLIC FINANCING AUTHORITY, AND HOUSING AUTHORITY

MINUTES

Joint REGULAR Meeting

Wednesday, September 8, 2021 * 6:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California

This meeting will be conducted in accordance with Governor Newsom’s Executive Order N-29-20 related to the COVID-19 virus.

- City Council meetings are video recorded and archived as a permanent record. The video recording captures the complete proceedings of the meeting and is available for viewing on the City's website.
- Posted Reports & Supplemental Docs contain records up to the cut off time prior to meetings for processing new submittals. Complete records containing meeting handouts, PowerPoints, etc. can be obtained through a [Records Request](#).

CITY COUNCILMEMBERS

Lesa Heebner, Mayor

Kristi Becker
Deputy Mayor

Kelly Harless
Councilmember

David A. Zito
Councilmember
District 1

Jewel Edson
Councilmember
District 3

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

SPEAKERS:

See Public Participation on the first page of the Agenda for publication participation options.

READING OF ORDINANCES AND RESOLUTIONS:

Pursuant to [Solana Beach Municipal Code](#) Section 2.04.460, at the time of introduction or adoption of an ordinance or adoption of a resolution, the same shall not be read in full unless after the reading of the title, further reading is requested by a member of the Council. If any Councilmember so requests, the ordinance or resolution shall be read in full. In the absence of such a request, this section shall constitute a waiver by the council of such reading.

CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 6:00 p.m.

Present: Lesa Heebner, Kristi Becker, Kelly Harless, David A. Zito, Jewel Edson

Absent: None

Also Greg Wade, City Manager

Present: Johanna Canlas, City Attorney
Angela Ivey, City Clerk
Dan King, Assistant City Manager
Mo Sammak, City Engineer/Public Works Dir.
Ryan Smith, Finance Dir.
Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT: None

FLAG SALUTE:

PRESENTATIONS: Ceremonial items that do not contain in-depth discussion and no action/direction.

Blue City Certification

Rimnga Viskanta, Sr. Mgmt Analyst, presented a PowerPoint (on file).

Alisan Amrhein, Chief City Liaison, Blue City Network, presented the certificate to Solana Beach for its environmental initiatives and programs including banning smoking on the beach, single use plastic bags, and polystyrene food containers, as well as forming a CCA which achieved 100% greenhouse gas free energy for all customers.

Greg Wade, City Manager, introduced the new Captain of the San Diego County Sheriff's Department North County, Captain Dustin Lopez.

APPROVAL OF AGENDA:

Motion: Moved by Councilmember Edson and second by Deputy Mayor Becker to approve. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

ORAL COMMUNICATIONS:

Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.

This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today's agenda by having submitted written comments for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. Comments relating to items on this evening's agenda are taken at the time the items are heard. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

An opportunity for City Council to make brief announcements or report on their activities. These items are not agendized for official City business with no action or substantive discussion.

A. CONSENT CALENDAR: (Action Items) (A.1. - A.5.)

Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.

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Those items removed from the Consent Calendar by a member of the Council will be trailed to the end of the agenda, while Consent Calendar items removed by the public will be discussed immediately after approval of the Consent Calendar.

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the June 23, 2021 City Council Meeting.

Approved Minutes http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B_BASIC

Motion: Moved by Deputy Mayor Becker and second by Councilmember Harless to approve. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

A.2. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for August 07, 2021 – August 20, 2021.

[Item A.2. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Motion: Moved by Deputy Mayor Becker and second by Councilmember Harless to approve. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

A.3. General Fund Budget Adjustments for Fiscal Year 2021/2022. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2021/2022 General Fund Adopted Budget.

[Item A.3. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Motion: Moved by Deputy Mayor Becker and second by Councilmember Harless to approve. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

A.4. Citywide Landscape Services. (File 0750-25)

Recommendation: That the City Council

1. Adopt **Resolution 2021-103:**
 - a. Authorizing the City Manager to amend the Professional Services Agreement with Nissho of California, Inc. to increase the total cost of the agreement by \$65,000 for an amount not to exceed \$412,411 for Citywide Landscape Maintenance Services for Fiscal Year 2021/22.
 - b. Appropriating \$40,000 in General Funds to the Parks/Professional Services account.
 - c. Authorizing the City Treasurer to amend the FY 2021/22 Adopted Budget accordingly.

[Item A.4. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Motion: Moved by Deputy Mayor Becker and second by Councilmember Harless to approve. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

A.5. City's Housing and Safety Elements Update. (File 0610-10)

Recommendation: That the City Council

1. Adopt **Resolution 2021-109** authorizing the City Manager to execute Amendment #2 to the Professional Services Agreement with Kimley-Horn and Associates Inc. for an additional amount not to exceed \$11,200.

[Item A.5. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Motion: Moved by Deputy Mayor Becker and second by Councilmember Harless to approve. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

B. PUBLIC HEARINGS: (B.1.– B.2.)

Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

An applicant or designee(s) for a private development/business project, for which the public hearing is being held, is allotted a total of fifteen minutes to speak, as per SBMC 2.04.210. A portion of the fifteen minutes may be saved to respond to those who speak in opposition. All other speakers have three minutes each.

After considering all of the evidence, including written materials and oral testimony, the City Council must make a decision supported by findings and the findings must be supported by substantial evidence in the record.

B.1. Public Hearing: 510 N. Acacia Ave., Applicants: Churches and Rauhala, Application: DRP20-012, SDP 21-016. (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, may be found to be consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP and administratively issue a SDP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2021-105** conditionally approving a DRP and SDP to demolish the existing single-story, single-family residence, maintain an existing legal nonconforming detached single-car garage, construct a replacement two-story, single-family residence, and perform associated site improvements at 510 North Acacia Avenue, Solana Beach.

[Item B.1. Report \(click here\)](#)

[Item B.1. Updated Report #1 \(added 9-8-21 at 10:15am\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Greg Wade, City Manager, introduced the item.

Katie Benson, Sr. Planner, presented a PowerPoint (on file).

Mayor Heebner opened the public hearing.

Council disclosures.

Janet Churches, Applicant, spoke about living in the house for 15 years and the need for another bedroom and bathroom for their children. Tyler Van Stright, Architect, said he was available for questions.

Motion: Moved by Councilmember Zito and second by Councilmember Harless to close the public hearing. **Approved 5/0:** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

Motion: Moved by Councilmember Zito and second by Councilmember Edson to approve. **Approved 5/0:** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

B.2. Public Hearing: 521 Canyon Drive, Applicant: Agee, Application: DRP21-003. (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, may be found to be consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2021-104** conditionally approving a DRP to construct 4,280 square-foot, single-story single-family residence with an attached 550 square-foot garage and perform associated site improvements at 521 Canyon Drive, Solana Beach.

[Item B.2. Report \(click here\)](#)

[Item B.2. Supplemental Docs \(updated 9-8-21 at 2:00pm\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Greg Wade, City Manager, introduced the item.

Katie Benson, Sr. Planner, presented a PowerPoint (on file).

Mayor Heebner opened the public hearing.

Council disclosures.

Council and Staff discussed the patios and related covers.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Becker to close the public hearing. **Approved 5/0:** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

Council discussed directing Staff to look at the issue of three sided covered patios for future projects and when it should be included in the floor area ratio (FAR).

Motion: Moved by Mayor Heebner and second by Councilmember Edson to approve. **Approved 5/0:** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

C. STAFF REPORTS: (C.1. – C.4.)

Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

C.1. Net Energy Metering 3.0 (NEM) Proceeding. (File 1010-46)

Recommendation: That the City Council

1. Discuss and consider adoption of **Resolution 2021-107** regarding the NEM 3.0 proceeding presently before the CPUC (California Public Utilities Commission).

[Item C.1. Report \(click here\)](#)

[Item C1. Supplemental Docs \(updated 9-8-21 at 4:36pm\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Dan King, Assistant City Manager, presented a PowerPoint (on file).

Michael Vasilakis, Climate Action Campaign, spoke of his support for the resolution to protect equitable access to rooftop solar and storage, and renewable resources being deployed quickly in the case of flex alerts.

Karina Gonzales, Hammond Climate Solutions and member of the San Diego Green New Deal Alliance, spoke about support of the resolution, the California Public Utility Commission's own analysis stating that the primary cause for increased utility rates were tiered rates and transmission and distribution and their associated wildfire costs, utility transmission charges having risen 2.3 billion per year and distribution costs having risen 3.6 billion per year which has raised rates, rate payers being forced to pay for the devastating wildfires caused by SDG&E and the transmission lines, rooftop solar reducing the amount of transmission and distribution infrastructure needed, and SDG&E's proposal including the highest solar fees in the nation.

Shelah Ott, San Diego Building Electrification Coalition member, spoke about her support for the resolution, the need for solar to be able to grow sustainably and equitably in order

for California to fight the climate emergency, SDG&E and its parent company Sempra's continued fight against clean energy solutions that would help communities and the planet, SDG&E's donation to organizations that support their fossil fuel agenda, SDG&E pushing its agenda of utility scale solar that has caused their rate tariffs across the region to burden the cost of incredibly expensive transmission lines, the changes to net energy metering being proposed by the investor-owned utilities at the California Public Utilities Commission hurting Clean Energy Alliance, and Solana Beach standing up for local rooftop solar.

Joe Gabaldon, SDG&E Public Affairs Manager for the north coast cities, spoke about SDG&E having a net energy metering proceeding, the PUC following the law by revisiting the 25 year old solar program, hiring a third party to evaluate the current statewide program, a study that found that current rooftop solar subsidies increased electric bills for non-solar customers, and that the subsidies created by the NEM tariff were disproportionately paid by younger, less wealthy, and disadvantaged electricity customers. He said that several consumer advocates and environmental organizations advocating for meaningful reform to the NEM program such as the Natural Resource Defense Council, the PUC zone Public Advocates Office, the Utility Reform Network had found the existing program to be inequitable and in need of major updates, that Council should invite these groups to speak on the issue, that SDG&E and other utilities do not profit in any way from updating the NEM program, that SDG&E's policy goals and intentions were to design a program that was more equitable for all customers and ensuring affordability of a clean energy future, and that they encouraged the language in the resolution to address the growing cost shift of approximately \$3.4 billion dollars across the state that was burdening lower income individuals.

Tara Hammond, Hammond Climate Solutions, spoke in support of the resolution, and said that SDG&E opposed programs that benefited the community while reducing the climate crisis, that SDG&E and Sempra could not legally oppose community choice energy, that SoCalGas formed a front group to push an anti-building electrification campaign to increase the use of 30 harmful fossil fuels, all three investor owned utility companies having attacked rooftop solar for over a decade because of profits from projects that increase the need for costly transmission lines, the transmission lines having caused fires, SDG&E being one of the highest rate utilities in the country, their pushing of fracked gas which causes poisoning of air, land, water, and people, and that Sempra CEO Jack Martin would have given up some of his \$12 million in compensation last year during a pandemic if the company cared about equity, and about SDG&E's speaker requesting that Council have all of the anti-solar parties present to the City.

Peter Zahn speaking on behalf of the Climate Action Commission said that this adoption originated in the de-carbonization strategy subcommittee, which unanimously voted to forward it to the full commission, the commission heard from several members of the public environmental organizations as well as SDG&E, the commission voted to approve the resolution, the IOUs proposal would hurt electricity customers in Solana Beach and throughout California by making rooftop solar more expensive by increasing customer's electric bills and drastically reducing the credits that net energy metering has provided to for years, that SDG&E's submittal today would harm low income rate payers, that an overwhelming number of environmental organizations took positions opposed to assertions made by SDG&E in the IOUs proposal, that if it was adopted it would impede the cities and states ability to meet greenhouse gas reduction goals, and it would impede the ability to set more aggressive targets which was counter to Council's declaration of

a climate emergency.

John Bottorf, CleanEarth4Kids.org, spoke about their support for the resolution, multiple legitimate studies showing that rooftop solar saves California rate payers over one hundred billion dollars, the extraction in burning of fossil fuels harms health here and around the world both indoor and outdoor, fossil fuel air pollution being responsible for one in five deaths, San Diego County getting an F in ozone, which is smog and sunlight, and a D in particle pollution, fossil fuels being a detriment to all from a pollution and climate change standpoint, SDG&E and other utility companies not being interested in fighting climate change but only their profits, and all those opposed having a financial interest but not the interest of the people in the community.

David Rosenfeld, Solar Rights Alliance, spoke about their strong support for the resolution, 1.2 million people having solar in this state, solar was now working into middle-class neighborhoods and that it should be in the hands of millions of working communities all around the state so that people have the tools to protect themselves from blackouts and to control their energy bills, California having the most detailed energy modeling in the United States that shows California cutting \$120 billion from its electricity costs over the next 30 years, or \$295 per rate payer per year. He said that utilities were proposing to double the cost of rooftop solar taking the industry back 15 years when only the very wealthy could afford it, that SDG&E was putting out false information, and that once their numbers were unpacked it showed that they used tricky accounting and bad premises.

Motion: Moved by Councilmember Zito and second by Councilmember Edson to approve.
Approved 5/0: Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

C.2. Public Arts Commission Appointment. (File 0120-06)

Recommendation: That the City Council

1. Appoint one (1) member to the Public Arts Commission nominated/appointed by *Council-at-large* with a term ending January 2023.

[Item C.2. Report \(click here\)](#)

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Greg Wade, City Manager, introduced the item.

Mayor Heebner nominated Marilyn Barnett.

Motion: Moved by Mayor Heebner and second by Councilmember Harless to appoint Marilyn Barnett. **Approved 5/0:** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion

C.3. Introduce (1st Reading) Ordinance 515 - Regarding Official Bonds, Insurance, and Policy Limit. (File 0180-55)

Recommendation: That the City Council

1. Introduce **Ordinance 515** amending Section 2.08.050 of the Solana Beach

- Municipal Code; and
2. Adopt **Resolution 2021-106** setting minimum insurance policy limit.

[Item C.3. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Johanna Canlas, City Attorney, introduced the item.

Motion: Moved by Deputy Mayor Becker and second by Councilmember Edson to approve. **Approved 5/0:** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

C.4. City Manager's Employment Agreement. (File 0400-10)

Recommendation: That the City Council

1. Consider adoption of **Resolution 2021-108** authorizing the Mayor to execute the Sixth Amendment to the Employment Agreement between the City of Solana Beach and Gregory Wade to reflect a base salary increase of 4.5% to \$230,592.00 effective July 1, 2021, b) Effective July 1, 2022, a 3% base salary increase to \$237,510.00, and c) \$50 increase to the monthly vehicle allowance for a total of \$500.00.

[Item C.4. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Johanna Canlas, City Attorney, introduced the item.

Motion: Moved by Deputy Mayor Becker and second by Councilmember Harless to approve. **Approved 5/0:** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

COMPENSATION & REIMBURSEMENT DISCLOSURE: None

GC: Article 2.3. Compensation: 53232.3. (a) Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. 53232.3 (d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency "City" at the next regular meeting of the legislative body.

COUNCIL COMMITTEE REPORTS: [Council Committees](#)

REGIONAL COMMITTEES: (outside agencies, appointed by this Council)

STANDING COMMITTEES: (All Primary Members) (Permanent Committees)

CITIZEN COMMISSION(S)

ADJOURN:

Mayor Heebner adjourned the meeting at 7:35 p.m.



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: October 27, 2021
ORIGINATING DEPT: Finance
SUBJECT: Register of Demands

BACKGROUND:

Section 3.04.020 of the Solana Beach Municipal Code requires that the City Council ratify a register of demands which represents all financial demands made upon the City for the applicable period.

Register of Demands- 09/25/21 through 10/08/21

Check Register-Disbursement Fund (Attachment 1)		\$	1,070,410.81
Net Payroll	October 1, 2021		168,823.93
Federal & State Taxes	October 1, 2021		47,200.44
Retirement Payroll	October 6, 2021		4,501.00

TOTAL		\$	<u>1,290,936.18</u>
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DISCUSSION:

Staff certifies that the register of demands has been reviewed for accuracy, that funds are available to pay the above demands, and that the demands comply with the adopted budget.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

The register of demands for September 25, 2021 through October 8, 2021 reflects total expenditures of \$1,290,936.18 from various City sources.

WORK PLAN:

N/A

CITY COUNCIL ACTION: _____ _____

OPTIONS:

- Ratify the register of demands.
- Do not ratify and provide direction.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council ratify the above register of demands.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. Check Register – Disbursement Fund



City of Solana Beach

Register of Demands

9/25/2021 - 10/8/2021

Department Vendor	Description	Check/EFT Number	Amount
100 - GENERAL FUND			
ICMA PLAN 302817	PLAN NUMBER: 302817	9000348	\$15,835.89
SOLANA BEACH FIREFIGHTERS ASSOC	FD DUES PD 10/01/21	9000352	\$813.50
AFLAC	SEPTEMBER 21	100541	\$803.86
ICMA RHS 801939	PLAN NUMBER: 801939	9000349	\$2,161.33
ERGOSTOP INC.	ROLLER MOUSE/KEYBOARD	100583	\$416.11
MUNSCH HOMES CORPORATION	RFND-ENC20-0027/208 PACIFIC AVE	100560	\$774.00
MICHAEL E BAKER	RFND-DRP20-001/182 S NARDO	100558	\$3,921.00
MICHAEL E BAKER	RFND-DRP20-001/182 S NARDO	100558	\$548.00
LAWRENE BOROWSKI	RE-ISSUE PR V448179	100556	\$147.00
TOTAL GENERAL FUND			\$25,420.69
1005200 - CITY MANAGER			
DRO MANAGEMENT CONSULTANTS, LLC	222-55 DRO MNGMNT-NCTD/DRAFT AGRMNT	100551	\$8,125.00
TOTAL CITY MANAGER			\$8,125.00
1005250 - LEGAL SERVICES			
BURKE WILLIAMS & SORENSEN	RETAIN JULY 21	100545	\$11,250.00
BURKE WILLIAMS & SORENSEN	PROF SVC-96-0031	100545	\$60.00
BURKE WILLIAMS & SORENSEN	PROF SVC-96-0034	100545	\$740.00
BURKE WILLIAMS & SORENSEN	PROF SVC-96-0037.001	100545	\$460.00
BURKE WILLIAMS & SORENSEN	PROF SVC-96-0038	100545	\$2,783.00
BURKE WILLIAMS & SORENSEN	PROF SVC-96-0001	100545	\$1,660.00
BURKE WILLIAMS & SORENSEN	PROF SVC-96-0001.002	100545	\$1,860.00
BURKE WILLIAMS & SORENSEN	PROF SVC-96-0002	100545	\$207.00
BURKE WILLIAMS & SORENSEN	PROF SVC-96-0006	100545	\$221.00
BURKE WILLIAMS & SORENSEN	PROF SVC-96-0014	100545	\$1,907.50
BURKE WILLIAMS & SORENSEN	PROF SVC-96-0019	100545	\$20.00
TOTAL LEGAL SERVICES			\$21,168.50
1005300 - FINANCE			
HDL-HINDERLITER, DE LLAMAS & ASSOC	Q1 CY21 STAX-AUDIT	100552	\$1,585.01
HDL-HINDERLITER, DE LLAMAS & ASSOC	Q1 CY STAX-CONTRACT	100552	\$1,264.26
XEROX CORPORATION	BLK/CLR-CLERK-6/21/21-7/21/21	100573	\$56.85
XEROX CORPORATION	BLK/CLR-CLERK-7/21/21-8/21/21	100573	\$84.80
TOTAL FINANCE			\$2,990.92
1005350 - SUPPORT SERVICES			
XEROX CORPORATION	XEROX-CLERK-JUL	100573	\$271.68
XEROX CORPORATION	BLK/CLR-UPSTAIRS-6/21/21-7/21/21	100573	\$97.38
XEROX CORPORATION	XEROX-UPSTAIRS-JULY	100573	\$298.25
XEROX CORPORATION	BLK/CLR-PLANNING-6/21/21-7/21/21	100573	\$91.48
XEROX CORPORATION	XEROX-PLANNING-JULY	100573	\$546.78

XEROX CORPORATION	BLK/CLR-UPSTAIRS-7/21/21-8/21/21	100573	\$60.96
XEROX CORPORATION	XEROX-UPSTAIRS-AUG	100573	\$298.25
XEROX CORPORATION	XEROX-CLERK-AUG	100573	\$271.68
XEROX CORPORATION	BLK/CLR-PLANNING-7/21/21-8/21/21	100573	\$54.08
XEROX CORPORATION	XEROX-PLANNING-AUG	100573	\$546.78
XEROX CORPORATION	XEROX-FIERY-PLANNING-JULY	100573	\$132.61
XEROX CORPORATION	XEROX-FIERY-UPSTAIRS-JULY	100573	\$132.61
XEROX CORPORATION	XEROX-FIERY-CLERK-JULY	100573	\$122.84
XEROX CORPORATION	XEROX-FIERY-PLANNING-AUG	100573	\$132.61
XEROX CORPORATION	XEROX-FIERY-UPSTAIRS-AUG	100573	\$132.61
XEROX CORPORATION	XEROX-FIERY-CLERK-AUG	100573	\$122.84

TOTAL SUPPORT SERVICES \$3,313.44

1005450 - INFORMATION SERVICES

COX COMMUNICATIONS INC	CITY INTERNET 08/19-09/18	100549	\$368.50
VERIZON WIRELESS-SD	670601022-00001/7/24-8/23	100571	\$152.04
AT&T CALNET 3	9391053641-07/24-08/23	100542	\$166.16
AT&T CALNET 3	9391012278-07/24-08/23	100542	\$3,048.30
AT&T CALNET 3	9391012282-07/24-08/23	100542	\$22.06
AT&T CALNET 3	9391062899-07/24-08/23	100542	\$166.16
MANAGED SOLUTION	PROF SVC-AUGUST 21	100557	\$2,775.00
MANAGED SOLUTION	PROF SVC-AUGUST 21	100557	\$900.00
MANAGED SOLUTION	FY21/PROF SVC-MAY	100585	\$1,153.46
MANAGED SOLUTION	PROF SVC-SEP	100585	\$900.00
MANAGED SOLUTION	PROF SVC-SEPT	100585	\$1,247.40

TOTAL INFORMATION SERVICES \$10,899.08

1005550 - PLANNING

1 STOP TONER & INKJET, LLC	TONER-PLN	100589	\$167.00
COUNTY OF SAN DIEGO_55	FY 21/DOCUMENTS-MAP-DEC	100580	\$2.00
COUNTY OF SAN DIEGO_55	DOCUMENTS-MAP	100580	\$2.00

TOTAL PLANNING \$171.00

1005560 - BUILDING SERVICES

SUN GRAPHICS INC	CORRECTION NOTICES	100595	\$619.56
1 STOP TONER & INKJET, LLC	TONER-BLDG	100589	\$156.23

TOTAL BUILDING SERVICES \$775.79

1005590 - PARKING ENFORCEMENT

DATATICKET INC.	FY21 PARKING TICKET ADMIN-JUNE	100581	\$388.27
VERIZON WIRELESS-SD	442224168-00001-07/24-08/23	100598	\$141.51
VERIZON WIRELESS-SD	442224168-00001-06/24-07/23	100598	\$141.51
PJ CASTORENA, INC.	FY21/PARKING CITATIONS	100586	\$2,069.50

TOTAL PARKING ENFORCEMENT \$2,740.79

1006120 - FIRE DEPARTMENT

CITY OF DEL MAR	FY21/Q4 FIRE OT HOURS	100577	\$1,166.88
NAPA AUTO PARTS INC	ANTIFREEZE	100588	\$21.53
NAPA AUTO PARTS INC	TIRE FOAM/ANTI FREEZE/SPRAY	100588	\$57.14
SOUTH COAST EMERGENCY VEHICLE SVC	MODULE/INPUT/CZTNG	100594	\$753.03
PARKHOUSE TIRE INC	TIRES-T#237	100561	\$1,756.09
AT&T CALNET 3	PO21-20/9391059865-06/01-06/30/21	100575	\$398.80

AT&T CALNET 3	9391059865-08/01-08/31	100575	\$397.62
AT&T CALNET 3	9391012280-07/24-08/23	100575	\$1,154.24
AT&T CALNET 3	9391012280-06/24-07/23	100575	\$777.26
WEX BANK	AUTO FUEL-AUGUST 21	100572	\$1,820.54
WEX BANK	CR EXEMPT-AUGUST 21	100572	(\$102.34)
TOTAL FIRE DEPARTMENT			\$8,200.79
1006150 - CIVIL DEFENSE			
AT&T CALNET 3	PO21-11/9391012275-01/24-02/23/21	100575	\$166.16
AT&T CALNET 3	9391012275-08/24-09/23/21	100575	\$166.16
TOTAL CIVIL DEFENSE			\$332.32
1006170 - MARINE SAFETY			
AT&T CALNET 3	9391019496-07/20-08/19	100575	\$27.30
AT&T CALNET 3	9391053651-07/25-08/24	100575	\$243.56
AT&T CALNET 3	9391053651-06/25-07/24	100575	\$249.09
CA MARINE SAFETY CHIEFS ASSOCIATION	2021 CA MS CHIEFS ASSC DUES	100546	\$250.00
TOTAL MARINE SAFETY			\$769.95
1006520 - ENVIRONMENTAL SERVICES			
MISSION LINEN & UNIFORM INC	LAUNDRY-PUB WORKS	100559	\$12.32
MISSION LINEN & UNIFORM INC	LAUNDRY-PUB WORKS	100587	\$12.57
AFFORDABLE PIPELINE SERVICES INC	H-STORM DRAIN MAINT	100540	\$1,140.00
LALLEY CONSTRUCTION	NEEDED REPAIR SERVICES-09/21/21	100555	\$962.60
SAN ELIJO JPA	FY22 Q1	100565	\$2,677.00
SAN ELIJO JPA	FY22 Q2 STORM DRAIN SEDIMENT	100565	\$2,677.00
CLEAN EARTH ENVIROMENTAL SOLUTIONS	HHW-AUG	100578	\$1,221.76
TOTAL ENVIRONMENTAL SERVICES			\$8,703.25
1006530 - STREET MAINTENANCE			
MISSION LINEN & UNIFORM INC	LAUNDRY-PUB WORKS	100559	\$21.13
MISSION LINEN & UNIFORM INC	LAUNDRY-PUB WORKS	100587	\$21.57
DIXIELINE LUMBER CO INC	ARMOR ALL CAR WASH	100550	\$14.52
SDG&E CO INC	UTILITIES-08/07-09/08	100567	\$855.92
SDG&E CO INC	UTILITES-07/10-09/08	100567	\$574.17
BOOT WORLD, INC.	BOOTS-BLEA	100544	\$135.74
BOOT WORLD, INC.	BOOTS-PEREZ	100544	\$126.05
TOTAL STREET MAINTENANCE			\$1,749.10
1006540 - TRAFFIC SAFETY			
SDG&E CO INC	UTILITIES-08/07-09/08	100567	\$1,044.66
SDG&E CO INC	UTILITES-07/10-09/08	100567	\$473.96
AT&T CALNET 3	9391012279-08/24-09/23/21	100575	\$48.79
SIEMENS MOBILITY, INC.	TRAFFIC SIGNAL AND SAFETY LIGHT MAINT/REPAIR	100593	\$3,093.18
SIEMENS MOBILITY, INC.	TRAFFIC SIGNAL AND SAFETY LIGHT MAINT/REPAIR	100593	\$1,120.00
TOTAL TRAFFIC SAFETY			\$5,780.59
1006560 - PARK MAINTENANCE			
MISSION LINEN & UNIFORM INC	LAUNDRY-PUB WORKS	100559	\$14.97
MISSION LINEN & UNIFORM INC	LAUNDRY-PUB WORKS	100587	\$15.28
DIXIELINE LUMBER CO INC	VALVE BOX	100550	\$18.31
DIXIELINE LUMBER CO INC	COIL CHAIN/SCREW PIN ANCHOR	100550	\$64.81
DIXIELINE LUMBER CO INC	SWITCH BOX/PVC PIECES/LED	100582	\$26.32

SANTA FE IRRIGATION DISTRICT	005506-015	100566	\$263.98
SANTA FE IRRIGATION DISTRICT	005506-016	100566	\$325.08
SANTA FE IRRIGATION DISTRICT	005979-003	100566	\$1,042.33
JOSHUA BLEA	MILEAGE-09/12/21	100543	\$28.00
JOSE GARCIA	MILEAGE-09/19/21	100554	\$35.84
THE HOME DEPOT PRO	LINERS	100570	\$649.10
THE HOME DEPOT PRO	REISSUE CHECK#99387	100596	\$869.44
TOTAL PARK MAINTENANCE			\$3,353.46
1006570 - PUBLIC FACILITIES			
SEASIDE HEATING & AIR CONDITIONING	HVAC MAINT-JULY-LC	100592	\$120.00
SEASIDE HEATING & AIR CONDITIONING	AS NEEDED RPR-FS	100592	\$621.00
SEASIDE HEATING & AIR CONDITIONING	HVAC MAINT-FC	100592	\$65.00
MISSION LINEN & UNIFORM INC	COVID-19 AUTOMATIC SOAP DISPNSR	100559	\$325.41
DIXIELINE LUMBER CO INC	WEATHERPROOF COVER/TGGL SWTCH	100550	\$17.24
DIXIELINE LUMBER CO INC	PAINT ROLLERS	100550	\$39.51
DIXIELINE LUMBER CO INC	FAN LIGHT SWITCH	100550	\$5.61
DIXIELINE LUMBER CO INC	PLASTIC PLUG/DRILL BIT	100550	\$32.76
DIXIELINE LUMBER CO INC	MOUNT TAPE/GLOVES	100582	\$48.47
DIXIELINE LUMBER CO INC	LIQUID NAILS/SPRAY	100582	\$8.92
DIXIELINE LUMBER CO INC	MOUNTING TAPE/BATTERIES	100582	\$41.72
SDG&E CO INC	UTILITIES-08/07-09/08	100567	\$7,027.58
SDG&E CO INC	UTILITES-07/10-09/08	100567	\$2,748.26
LALLEY CONSTRUCTION	ON-CALL RPR-09/15/21	100555	\$1,170.00
LALLEY CONSTRUCTION	NEEDED REPAIR SERVICES-09/21/21	100555	\$2,287.40
SAN ELIJO JPA	FY22 Q1	100565	\$3,528.00
SAN ELIJO JPA	FY22 Q2 GENERATOR MAINTENANCE	100565	\$3,528.00
CINTAS CORPORATION NO. 2	FIRST AID SUPPLIES-CH	100548	\$686.69
CINTAS CORPORATION NO. 2	FIRST AID SUPPLIES-PW	100576	\$67.26
SUNBELT RENTALS, INC.	AIR SCRUBBER-CH	100569	\$164.86
SUNBELT RENTALS, INC.	AIR SCRUBBER/SUPPLIES	100569	\$1,430.91
THE HOME DEPOT PRO	LINERS	100570	\$649.10
THE HOME DEPOT PRO	REISSUE CHECK#99387	100596	\$869.44
JOHNSON CONTROLS FIRE PROTECTION LP	EXTINGUISHER INSPECTION	100553	\$818.18
CALIFORNIA OFFICE CLEANING, INC	JANITORIAL SVC-AUGUST 21	100547	\$8,050.00
CALIFORNIA OFFICE CLEANING, INC	JANITORIAL SVC-AUGUST 21	100547	\$150.00
CALIFORNIA OFFICE CLEANING, INC	COVID-19 CLEANING AUGUST 21	100547	\$3,519.00
TOTAL PUBLIC FACILITIES			\$38,020.32
1007110 - GF-RECREATION			
RAPHAEL'S PARTY RENTALS	GENERATOR-DIA DE LOS MUERTOS	100562	\$255.75
MARK A LANGFORD	EQUIP/LABOR DIA DE LOS MUERTOS	100564	\$2,180.00
TOTAL GF-RECREATION			\$2,435.75
1205460 - SELF INSURANCE RETENTION			
BURKE WILLIAMS & SORENSEN	CLM.1904-96-0030	100545	\$742.00
TOTAL SELF INSURANCE RETENTION			\$742.00
135 - EQUIPMENT REPLACEMENT			
MICHAEL E BAKER	RFND-DRP20-001/182 S NARDO	100558	\$43.32
TOTAL EQUIPMENT REPLACEMENT			\$43.32

1355300 - ASSET REPLACEMENT-FINANCE

TYLER TECHNOLOGIES, INC.	20-216-01 IMPLMNTN NON-HR	100597	\$8,960.00
TOTAL ASSET REPLACEMENT-FINANCE			\$8,960.00

1605360 - OPEB OBLIGATION

MIDAMERICA	CTYSOLANAG5-OCT 21	9000351	\$6,160.00
TOTAL OPEB OBLIGATION			\$6,160.00

2026510 - GAS TAX-ENGINEERING

STC TRAFFIC, INC	21-173-02 CIP19-TRFC SGNL ASMNT	100568	\$9,810.00
TOTAL GAS TAX-ENGINEERING			\$9,810.00

2037510 - HIGHWAY 101 LANDSC #33

SANTA FE IRRIGATION DISTRICT	005979-004	100566	\$600.03
SANTA FE IRRIGATION DISTRICT	007732-000	100566	\$169.63
SDG&E CO INC	UTILITIES-08/07-09/08	100567	\$1,106.66
TOTAL HIGHWAY 101 LANDSC #33			\$1,876.32

2117600 - STREET LIGHTING DISTRICT

SDG&E CO INC	UTILITES-07/10-09/08	100567	\$7,707.30
SIEMENS MOBILITY, INC.	STREETLIGHT MAINTENANCE AND REPAIRS SERVICE	100593	\$1,654.65
TOTAL STREET LIGHTING DISTRICT			\$9,361.95

2135550 - DEVELOPER PASS-THRU- PLANNING

PAMELA ELLIOTT LANDSCAPE ARCHITECT	DRP21003/521 CANYON-AUG	100591	\$300.00
PAMELA ELLIOTT LANDSCAPE ARCHITECT	DRP21002/622 GLENMONT-AUG	100591	\$450.00
PAMELA ELLIOTT LANDSCAPE ARCHITECT	1718.10/215-225 BARBARA-AUG	100591	\$450.00
PAMELA ELLIOTT LANDSCAPE ARCHITECT	B210084/521 S NARDO-AUG	100591	\$300.00
PAMELA ELLIOTT LANDSCAPE ARCHITECT	B210415/210 GIBSON-AUG	100591	\$450.00
PAMELA ELLIOTT LANDSCAPE ARCHITECT	DRP21009/437 MARVIEW-AUG	100591	\$300.00
PAMELA ELLIOTT LANDSCAPE ARCHITECT	DRP20015/418 S GRANADOS-AUG	100591	\$300.00
PAMELA ELLIOTT LANDSCAPE ARCHITECT	1717.20/729 BARBARA-AUG	100591	\$300.00
TOTAL DEVELOPER PASS-THRU- PLANNING			\$2,850.00

240 - COMM DEV BLOCK GR (CDBG)

PAL GENERAL ENGINEERING INC	9355 PED RAMPS RET	100590	(\$200.00)
TOTAL COMM DEV BLOCK GR (CDBG)			(\$200.00)

2406510 - COMM DEV BLOCK GR (CDBG)-CIP

PAL GENERAL ENGINEERING INC	21-196-01 9355 PED RMPS	100590	\$4,000.00
TOTAL COMM DEV BLOCK GR (CDBG)-CIP			\$4,000.00

2706120 - PUBLIC SAFETY- LAW ENFORCEMENT

ROBERT BARRON	STRIKETM-DIXIE-BARRON	100563	\$136.82
TOTAL PUBLIC SAFETY- LAW ENFORCEMENT			\$136.82

4506190 - SAND REPLNSHMNT/RETENTION

WARWICK GROUP CONSULTANTS, LLC	9926.21 PROF SCV-JULY	100599	\$4,945.00
WARWICK GROUP CONSULTANTS, LLC	9926.21 PROF SVC-AUG	100599	\$4,945.00
TOTAL SAND REPLNSHMNT/RETENTION			\$9,890.00

5097700 - SANITATION

MISSION LINEN & UNIFORM INC	LAUNDRY-PUB WORKS	100559	\$8.80
MISSION LINEN & UNIFORM INC	LAUNDRY-PUB WORKS	100587	\$8.99
AFFORDABLE PIPELINE SERVICES INC	C-SEWER CLEANING-59,133	100540	\$29,566.50
AFFORDABLE PIPELINE SERVICES INC	I-SEWER CLEANING	100540	\$425.00

AFFORDABLE PIPELINE SERVICES INC	I SEWER CLEANING	100574	\$425.00
SAN ELIJO JPA	FY22 Q1	100565	\$420,786.00
SAN ELIJO JPA	FY22 Q2 MAINTENANCE & OP	100565	\$420,142.00
AT&T CALNET 3	9391012277-08/24-09/23	100575	\$14.59
	TOTAL SANITATION		\$871,376.88
5507750 - SOLANA ENERGY ALLIANCE			
JPW COMMUNICATIONS, LLC	SEA LABEL UPDATE-SEPT	100584	\$270.00
	TOTAL SOLANA ENERGY ALLIANCE		\$270.00
6527820 - SUCCESSOR AGENCY			
COLANTUONO, HIGHSMITH, & WHATLEY PC	FY21/SDCOE CONSORTIUM-MAY	100579	\$42.78
BURKE WILLIAMS & SORENSEN	PROF SVC-97-0003	100545	\$140.00
	TOTAL SUCCESSOR AGENCY		\$182.78
	REPORT TOTAL:		\$1,070,410.81



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: October 27, 2021
ORIGINATING DEPT: Finance
SUBJECT: **Report on Changes Made to the General Fund Adopted Budget for Fiscal Year 2021/22**

BACKGROUND:

Staff provides a report at each Council meeting that lists changes made to the current Fiscal Year (FY) General Fund Adopted Budget.

The information provided in this Staff Report lists the changes made through October 13, 2021.

DISCUSSION:

The following table reports the revenue, expenditures, and transfers for 1) the Adopted General Fund Budget approved by Council on June 23, 2021 (Resolution 2021-092) and 2) any resolutions passed by Council that amended the Adopted General Fund Budget.

GENERAL FUND - ADOPTED BUDGET PLUS CHANGES						
As of October 13, 2021						
Action	Description	Revenues	Expenditures	Transfers from GF		Net Surplus
Reso 2021-092	Adopted Budget	22,694,100	(20,222,560)	(916,100)	(1)	\$ 1,555,440
Reso 2021-086	Crossing Guards	121,540	(48,984)	-		1,627,996
Reso 2021-096	FY22 MOU	-	(950)	-		1,627,046
Reso 2021-103	Landscaping Maintenance Services	-	(40,000)	-		1,587,046
	(1) Transfers to:		150,100			
	Debt Service for Public Facilities			150,100		
	Transfer to:		766,000			
	City CIP Fund			766,000		

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA

COUNCIL ACTION:

FISCAL IMPACT:

N/A

WORK PLAN:

N/A

OPTIONS:

- Receive the report.
- Do not accept the report

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council receive the report listing changes made to the FY 2021-2022 General Fund Adopted Budget.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: October 27, 2021
ORIGINATING DEPT: City Clerk's Office
SUBJECT: **Council Consideration of Resolution 2021-122 Destruction of Obsolete Records**

BACKGROUND:

Periodically, the City reviews its records to identify those available for official destruction. Destruction of records frees up storage space and helps Staff manage the large volume of records. Stockpiling vast amounts of public records increases the risk of records misplacement and increases Staff management and time spent complying with subpoenas and records requests for documents that are no longer required to be retained. Therefore, the City conducts periodic destruction to manage its accumulation of records.

The maintenance and storage of records that are no longer required to be retained can be cumbersome due to inventory maintenance and add costs for offsite storage. It should be noted that records required and/or necessary to be retained by the City are kept for retention as required. Destruction of approved records is important to lessen the storage needs produced by documents that are no longer needed.

This item is before Council to consider adoption of Resolution 2021-122 (Attachment 1) approving the official destruction of obsolete records.

DISCUSSION:

Destruction of records is permitted in accordance with state law and the City's Records Retention Schedule, which was adopted by Resolution 2000-34 and Resolution 2002-76. The City's Retention Schedule contains state law requirements as well as additional City retention provisions to outline retention periods for various government records.

Resolution 2021-122 contains the attached Lists of Records to be Destroyed (Exhibit A of Resolution 2021-122) itemizing the description of documents that are prepared for

CITY COUNCIL ACTION:

destruction. These documents are obsolete and may be destroyed in compliance with the City's adopted Retention Schedule as well as procedures outlined in the City's Records Management Manual including following all updated retention requirements of state regulations. After careful review of the records by the respective Department Staff, Department Heads, City Attorney and City Clerk/Custodian of Records, 16 boxes of obsolete records were carefully prepared and authorized for destruction.

CEQA COMPLIANCE: N/A

FISCAL IMPACT:

The City will save administrative and storage expenses by destroying records no longer needed or required to be retained. The cost of official destruction of these documents has been allocated within the City Clerk Department's budget to accommodate this service.

WORK PLAN: N/A

OPTIONS:

- Approve Staff recommendation.
- Do not approve Staff recommendation.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council adopt Resolution 2021-122 authorizing the destruction of officially obsolete records.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager

Attachments:

1. Resolution 2021-122

RESOLUTION 2021-122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AUTHORIZING DESTRUCTION OF CERTAIN OBSOLETE RECORDS

WHEREAS, the maintenance of numerous records is expensive, slows document retrieval, and is not necessary after a certain period of time, according to the Solana Beach Records Retention Schedule which adheres to various state codes and regulations; and

WHEREAS, the maintenance of these records does not provide for effective and efficient operation of the government of the City of Solana Beach; and

WHEREAS, Section 34090 of the Government Code of the State of California provides a procedure whereby any City record which has served its purpose and is no longer required may be officially destroyed; and

WHEREAS, the City Council adopted the Records Retention Schedule on June 6, 2000, and adopted a revised Records Retention Schedule on August 20, 2002; and

WHEREAS, the documents proposed for destruction were reviewed by the Department Directors and authorized for official destruction by the City Attorney and City Clerk/Custodian of Records, and are currently compliant with State Code retention requirements.

NOW, THEREFORE, the City Council of the City of Solana Beach, California does resolve as follows:

1. That the above recitations are true and correct.
2. That the records of the City of Solana Beach, as set forth in the attached Lists of Records to be Destroyed (Exhibit A) attached hereto and incorporated herein by this reference, are hereby authorized to be destroyed as provided by Section 34090 et seq. of the Government Code of the State of California and in accordance with the provision of the adopted Solana Beach Records Retention Schedule and upon the consent of the Department Heads, City Attorney, and City Clerk/Custodian of Records.
3. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.
4. That this resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 27th day of October, 2021 at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES: Councilmembers -
NOES: Councilmembers -
ABSTAIN: Councilmembers -
ABSENT: Councilmembers -

LESA HEEBNER, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

EXHIBIT A
RESOLUTION 2021-122

Lists of Records to be Officially Destroyed
16 Boxes

1	Marine Safety Files 1987-2008, HR Files 1997, FIN Sales Tax Report 2006-2012, City Manager Corresp., Working Files 2002-2014
2	Finance – Dept. Records, Working Files/Corresp., Reports 1996-2018
3	Finance – Deposits, Working Files/Corresp., Bonds, Invoices, Receipts 1987-2018
4	Finance – Cash Receipts July - December 1996 & 1997
5	Finance – Cash Receipts January - June 1998
6	Finance – Cash Receipts & Deposits February - April 2011
7	Finance – Reconciliation & Statements, Receipts/Receivables, Assets, Accounts Payable - POs, Bonds, Audits, Working Files, Meetings 1992-2015
8	Finance – Invoices, Reports, Accounts Payable – Pos 2004-2013
9	Finance – Invoices, Accounts Payable/Receivable, Working Files, Reports, Corresp., Payroll, Audits 1991-2010
10	Finance – Accounts Payable – Pos, Statements/Bond, Records, Claims 1993-2013
11	City Clerk – Petition CI-18-003, Election, Citizen’s Initiative Proposed Ord 494 – Commercial Cannabis 2018 & 2020
12	Finance – Accounts Payable – Invoices, Working Files/Corresp., Bond, Schedules Meetings 1993-2011
13	Finance – Budget Docs, Accounts Payable/Receivable, Employee Statement/Benefits 1988-2013
14	Finance – Bonds, Statements, Records, Receivables, Reports, Reference Materials 1988-2012
15	Finance – Deferred Comp Statements, 1099’s Issued 2004-2012
16	Finance – Journal Entries 2003-2006

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages ___AD/HR, Marine Safety, Finance, City Wide, City Attorney, City Clerk

City Clerk – Legal Info, Code Section: GC §34090, 29 CFR 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, CCP §340.5

Documents Below Have Been Reviewed and Approved For Destruction:

Marine Safety

- U.S, Coast Guard Contingency Preparedness Plan undated
- Marine Safety Dept. Policies & Procedures 2004-2008
- Original Lifeguard Manual 1987
- Correspondence/Working File 1995-2015
- Incident Reports 1995-1998 (5 years)
- Inactive Lifeguard Personal Info 1987-2000

Human Resources

- Employee Assistance Program info
- Workers Compensation Injury/Illness Facilities 1997

Finance

- Sales Tax Reports: Quarterly Reports 2006-2012 (7 years after audit)

City Manager

- Correspondence/Invoices/Working File 2007-2017
- Internet Crimes Against Children information 2011-2014
- Animal Services Activity Rep.-San Diego Co., budget info, payments, corresp. 2006-2010 (10 years)
- Holiday Tree Contributions-Sponsor a Palm 2003 (7 years after audit)
- City Spaces Staff Project 2002
- Violation Notices 2010
- Public Safety Commission agendas, working file 2010-2014
- Council Standing Committee Agendas, Corresp., Working File (Parks & Recreation, Public Arts, School Relations) 2006-2015
- Regional Technology Partnership, Framework, Plan 2006-2008

Records Prepared / Inventoried By: ___Kay Vinson _____ Signature:  6-30-21
Date

Department Head ___Pouneh Sammak _____ Signature:  9/30/2021
Date

City Clerk/Custodian of Records ___Angela Ivey _____ Signature:  10-14-20
Date

City Attorney _____Johanna Canlas _____ Signature:  10-14-21
Date

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages ___ FIN

City Clerk – Legal Info, Code Section: GC §34090, 43900, 26 CFR 16001-1
Fin 16

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Accounts Payable (7 years after audit)

- City of San Diego Sewer Billings, 2003-2004
- Coastal Frontiers 2005-2011
- Palomar College/Fire Technology, 2010-2011
- Creative Benefits 2010; McDougal, Love 2011; Best Way Laundry Solutions 2010; Masimo Corp. 2010
- Sheriff Cost Recovery, 2005-2007

Claims (7 years after audit)

- Open Claims Reports and Rejection of Dwyer Claim, 2003-2004
- Claims procedures and copies of 2 claims, 1999-2011
- Claims: Braff v, City of Encinitas 2006-2007
- Mercury & State Farm corresp. 2005-2008
- 208 Barbara Ave. Sewer Backup, 2005
- A. Stonebraker Trip & Fall, 6-30-2004
- R. Edwards Car Accident, 9-1-2007
- Commercial Liability/Claims for Damages, 2003
- Claims – Carl Warren, 2007-2010

Working Files/Corresp. (2 years)

- Claims processing, 1999-2003
- General Insurance Information, 2012
- Automobile Coverage for SANDPIPA Members presentation/notes, undated
- SANDPIPA Seminar: Nuts & Bolts of Litigation in State and Federal Court, 8-11-11
- County of San Diego Auditor Controller re. Excess Revenue from Deactivation of Redevelopment Project, 8-1-2001
- Memo re. Chart of Account numbering, 8-4-99
- Water Reclamation e-mail 6-8-2004
- Wastewater and SEJPA garage lease billing 5-25-05
- Business Tax & Fee Dept. Decision, CA Dept of Tax and Fee Admin. 2016-2018
- Corresp. Re. Auditor, 12-29-98
- Safety Programs 2003-2005

State Controller's Report (7 years after audit)

- Annual Street Report to State Controller's Office FY 2008
- Controller's Office Corresp. Re. General Fund for street purposes 7-1-96 through 6-30-99

Fixed Assets: Disposal (7 years after audit)

Surplus City Supplies, 5-8-2010

Bank Statements (7 years after audit)

Statement of Transactions, San Elijo Joint Powers Authority – 1993 Refunding Revenue Bonds, State Street Bank & Trust, FY 1996-1997

Records Prepared / Inventoried By: Kay Vinson

Signature:  9-21-21

Department Head Ryan Smith

Signature:  10/5/21

City Clerk/Custodian of Records Angela Ivey

Signature:  10-14-21

City Attorney Johanna Canlas

Signature:  10-14-21

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages ___ FIN

City Clerk – Legal Info, Code Section: GC §34090, 43900 - Fin 15

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

- Weekly Safety Meetings FYE 2016-2018 (2 years)
- Claims/Payment – SANDPIPA corresp. 1991-1992 (7 years after audit)

Refundable Deposits (Close of deposit + 4 years)

- Colton Seawall 2002
- Skinner Seacave Infill 2002
- Becker Seacave 2-2002
- Corn/Scism 311-319 Pacific Ave. Seacave 5-2003
- Seascape Chateau condo assn. 6-2001
- Gregg/Santina 333 – 337 Pacific 5-2003
- Baker/Crampton Seacave 8-2002
- Bob Trettin, Seawall project 7-2003
- Robert Mueller Const. 8-7-97
- Santa Fe Christian 11-4-98
- Lee Johnson, 403 Pacific Ave. 9-25-06
- Deposits and Planning Deposits: 2000-2013
- * Kinzel/Greenberg Seawall 9-2002
- * Harold Scism 6-2002
- * Steinberg, 633 Circle Dr. Seawall 5-2003
- * Del Mar Beach Club Seawall 6-2002
- * Monroe/Pierce Seawall 2-2002
- * Surfsong Condos Seawall 6-2004
- * J.C. Baldwin Const. seawall project 7-2003
- * Mesa Construction seawall project 7-2003
- * Axelson & Corn, 211-231 Pacific Ave. Seawall 1-15
- * McMahon Development 4-29-03
- * General Ledger Transactions/Acct. Detail 2000-2013

Working Files/Corresp. (2 years)

- Seawall Project Personnel Hours Jan-Mar 2002
- Tide Beach Park Seawall Assignment of Contract 6-26-2001
- Underground Tank Refund 9-23-99
- Project Balance on Stevens/Nardo Improvements 6-20-2002 & Escrow Agreement 12-7-00
- Lien Release 430 Canyon Dr. 1-8-99
- Re. Invoice to CPE for Repairs (Peek Signal) 4-20-01
- Calculation of Grading Permit 355 Pacific Ave. 10-20-04
- Calculation of Grading Permit 233 S. Helix Ave. 3-21-05
- Calculation of Grading Permit Fees & Marine Safety Fees, 365-367 Pacific Ave. (Di Noto/Bloom) 8-18-09
- Calculation of Grading Permit Fees & Marine Safety Fees, 135 S. Sierra Ave. (Los Brisas HOA) 10-12-06
- Subsidy Fund Updates 8-29-12
- Workers Comp Payroll Audit 11-21-11
- Amortized Sewer Agreements Corresp. 2000
- N. Pierson re. red light ticket 7-17-19
- Paper Certificates of award from CA Society of Municipal Finance Officers for outstanding reporting 1992-2005
- Sandpipa Insurance Crime Policy 2000-2003
- Park Grant Corresp. 2006
- Journal Entry FYE 2006-2009, Coding Error 1999, Organization Chart Report/Audit Trail 2014, Dick Miller Hwy 101 PO 6-24-14
- Audit info memo 3-25-09, CIP Funds 2009
- Insurance Matrix 12-1-14 corresp.
- CDBG claim corresp. 3-24-09
- Project Audit trail report 2015
- Public Works Projects Contracts corresp., receipts, accounting printouts 1987-2007
- Parks & Rec Annual Grant Programs 1994-2007

Bonds (Disposal + 7 years after audit)

- 2006 Sewer Revenue Bonds Project Drawdowns

Invoices (7 years after audit)

- Invoices, Lists, Corresp. FY 1999-2000 – 2010

Accounts Receivable – Cash Receipts (7 years after audit)

- Pink receipt slips, 1999

Records Prepared / Inventoried By: Kay Vinson

Signature:  9-15-21

Department Head Ryan Smith

Signature:  6/5/21

City Clerk/Custodian of Records Angela Ivey

Signature:  10-13-21

City Attorney Johanna Canlas

Signature:  10-14-20

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages FIN

City Clerk – Legal Info, Code Section: GC §34090 Fin 17 – Cash Receipts

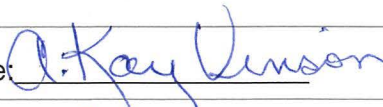
Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Cash Receipts (7 years after audit)

- July, 1996 – December, 1996 (3 binders)
- July, 1997 – December, 1997 (6 binders)

Records Prepared / Inventoried By: Kay Vinson

Signature:  9-20-21

Department Head Ryan Smith

Signature:  10/5/21

City Clerk/Custodian of Records Angela Ivey

Signature:  10-13-21

City Attorney Johanna Canlas

Signature:  10-14-21

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages FIN

City Clerk – Legal Info, Code Section: GC §34090 Fin 18 – Cash Receipts

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Cash Receipts (7 years after audit)

- January, 1998 – June, 1998 (6 binders)

Records Prepared / Inventoried By: Kay Vinson

Signature:  9-20-21

Department Head Ryan Smith

Signature:  10/21

City Clerk/Custodian of Records Angela Ivey

Signature:  10-13-21

City Attorney Johanna Canlas

Signature:  10-13-21

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages FIN

City Clerk – Legal Info, Code Section: GC §34090 Fin 19 – Cash Receipts

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Cash Receipts & Direct Deposit (7 years after audit)

- Cash Receipts, February 2011 (2 folders)
- Cash Deposits, February 2011
- Direct Deposit, February 2011
- Direct Deposit, March 2011
- Cash Receipts, March 2011 (2 folders)
- Jr. Lifeguard Receipts, March 2011
- Cash Receipts, April 2011
- Direct Deposit, April 2011

Records Prepared / Inventoried By: Kay Vinson

Signature: 

9-20-21

Department Head Ryan Smith

Signature: 

10/5/21

City Clerk/Custodian of Records Angela Ivey

Signature: 

10-13-21

City Attorney Johanna Canlas

Signature: 

10-14-21

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages FIN

City Clerk – Legal Info, Code Section: GC §34090, 43900 Fin 20

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Bank Reconciliation & Statements (7 years after audit)

- Union Bank Reconciliation 12-07
- Union Bank Reconciliation – Workers Comp Acct. 6-04
- Union Bank Reconciliation, FY 2004
- Union Bank Reconciliation – Petty Cash, 6-04
- Union Bank Reconciliation – Payroll Account FY 2003/2004, 2010/2011, 2011/2012
- US Bank – Muni Bond Insurance Policy, San Elijo Joint Powers Authority 1993 Refunding Revenue Bonds, 2003
- Best Western Trust Company, COP 1995 Fire Station Refunding, 2002-2003

Cash Receipts/Accounts Payable & Receivable (7 years after audit)

- Gas Street Report 6-99
- Petty Cash Transactions FY 2007

Fixed Assets – Disposal (7 years after audit)

- Items Released to Collection 2004

Accounts Payable - Purchase Orders (7 years after audit)

- Purchase Orders Activity Report and Encumbrance Balance, FY 2005, 2006, 2007

Bonds (Disposal + 7 years after audit)

- Refunding of 1992 and 1995 Certificates of Participation, 2001-2002

Audits – Working Papers, Confirmation Letters, Schedules, Detail (7 years after audit)

- TransNet & TDA, 1999-2010
- Audit 1995-1996
- Audit Proposals, FYE 6/30/10 through 6/30/2012

Working Papers (2 years)

- Redevelopment Agency corresp., Bond Financing Options, 1996-2006
- Statement of Indebtedness corresp. 2005-2010
- Koppel & Gruber invoices for services 2010
- Misc. Corresp. 2000-2010

Weekly Safety Meetings (2 years)

- 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015

SANDPIPA Financial & Strategic Planning Meeting for FY 2012/2013 – 1/3/2013 (when no longer required)

Records Prepared / Inventoried By: Kay Vinson

Signature:  9-27-21

Department Head Ryan Smith

Signature:  10/5/21

City Clerk/Custodian of Records Angela Ivey

Signature:  10-13-21

City Attorney Johanna Canlas

Signature:  10-14-21

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages FIN

City Clerk – Legal Info, Code Section: GC §34090, Fin 21

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Billing Invoices (7 years after audit)

- FY 2009-2010
- FY 2010-2011
- FY 2011-2012
- FY 2012-2013

Traffic Collision Reports, copies of Sheriff's reports (10 years)

- Monthly Reports 2010

State Controller's Report (7 years after audit)

- FY 09, 10, 11, 13

Accounts Payable – Purchase Orders (7 years after audit)

- 2002-2003
- 2003-2004
- 2004-2005
- 2005-2006
- 2006-2007
- Professional Services POs: Gateway 2006; S. Apple 2007-2008; Source Point 2004-2008; McCabe 2008; PBS&J 2007; Jones & Stokes 2007-2008; K. Johnson 2008; L. Naylor 2007-2009; Lalley Const. 2008

Records Prepared / Inventoried By: <u>Kay Vinson</u>	Signature:  <u>Kay Vinson</u>	9-27-21
Department Head <u>Ryan Smith</u>	Signature:  _____	<u>10/9/21</u>
City Clerk/Custodian of Records <u>Angela Ivey</u>	Signature:  _____	<u>10-13-21</u>
City Attorney <u>Johanna Canlas</u>	Signature:  _____	<u>10-14-21</u>

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages FIN

City Clerk – Legal Info, Code Section: GC §34090, 29 CFR 516.5, GC §§12946, Fin 22

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Invoices – Accounts Payable (7 years after audit)

- Invoice Copies 2006-2007
- Invoice Copies 2008
- Esgil Invoices 2002-2008
- EsGil, Jan. – June, 2009
- EsGil, July 2009 – June 2010
- EsGil, May – Dec. 2010

Accounts Receivable (7 years after audit)

- AR Log, #400 3-2-95 - #1088 1-22-99
- Billing 1-13-98 to 6-30-98
- Invoice Log & Invoices 1999
- Code Invoice Log & Invoices 1999
- Misc. 1989-1997

Special Reports for Council (2 years)

- Compensation 1990-1993

Employee-Related Working Files (2 years)

- Employee Negotiations Info, 1992-1993
- Lifeguard Job Descriptions and Compensation Tables, 1991-1992
- Misc. Employee Salary Tables 1990-1992
- Management Salary Tables, 1990-1992
- Firefighters Salary Tables, 1990-1993
- Marine Safety/Lifeguards Salary Tables, 1990-1991
- Corresp. and tables re. employee compensation and benefits 1988-90
- Health Insurance Amounts table per Reso 1987-1994

Auditors Notes(7 years after audit)

- PERS & Compensated Absences 1988-1998

Payroll (7 years after audit)

- Accrual Worksheets 6-30-98

Audit Working Papers (7 years after audit)

- Transient Occupancy Tax, 1994-2003
- Holiday Inn Express TOT, 2000-2001
- Adelpia Communications – Draft Report on Agreed-Upon Procedures Review of Adelpia Communications, 12-31-2004

Records Prepared / Inventoried By: Kay Vinson

Signature:  9-27-21

Department Head Ryan Smith

Signature:  10/5/21

City Clerk/Custodian of Records Angela Ivey

Signature:  10-13-21

City Attorney Johanna Canlas

Signature:  10-14-21

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages FIN

City Clerk – Legal Info, Code Section: GC §34090, 43900, 26 CFR 16001-1, IRS Reg §31.6001-1(e)(2), R&T §19530; LC § 1174(d), 29 CFR 516.5 - 516.6, CCP 338.1 Fin 23

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Accounts Payable – Purchase Orders (7 years after audit)

- Quarterly Year End Close, FY 2013
- FY 2012
- FYE 2011
- FYE 2010
- FYE 2009

Bank Statements/Bonds (Disposal + 7 years after audit)

- San Elijo JPA, 1993 Refunding Revenue Bonds, August 2000
- Union Bank/Bank of America Statements FY 2002-2003
- Union Bank/Bank of America Statement Analysis FY 2001-2002

Accounts Payable (7 years after audit)

- Allen's Approval One Invoices for Collections, 2001-2004

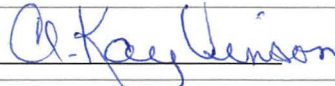
Payroll Records (7 years after audit)

- Time Sheets 1992-1993
- Registers, 1-1988 thru 6-23-89
- Del Mar Payroll 11/1/03 to 11/23/03 and Del Mar Salary Budget 2004-2005
- Blank Payroll Account Checks (Union Bank) #209200-209249
- Leave Request 1988
- Marine Safety MOU & Payroll 1999-2001

Claims Management (7 years after audit/Final Resolution + 5 years)

- Risk Management Information Reports, Sept. 1997 & Dec. 1997
- Risk Management Information Reports, Jan. - May 1998 & July – Dec. 1998
- Risk Management Information Reports, Jan. 1999

Records Prepared / Inventoried By: Kay Vinson

Signature:  9-27-21

Department Head Ryan Smith

Signature:  10/5/21

City Clerk/Custodian of Records Angela Ivey

Signature:  10-13-21

City Attorney Johanna Canlas

Signature:  10-14-21

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages CW4, CW5, CC1, CC4, CC5, CC3, CC6, F/MS3, F/MS7

City Clerk – Legal Info, Code Section: GC §§34090, CCP 337, G.C. 81009(e), GC 911.2, E.C. 17100

Documents Below Have Been Reviewed and Approved For Destruction:

City Clerk Files

Petition CI-18-003 Filed September 24, 2018 (approximately 1,067 signatures
Election Held November 3, 2020 (failed)
Citizen’s Initiative Petition for Proposed Ordinance 494 – Commercial Cannabis (Marijuana) Retailers in Non-Residential Zones and Deliveries/Cultivation in All Zones

Records Prepared / Inventoried By: <u>Angela Ivey</u>	Signature: 	
Department <u>Angela Ivey</u>	Signature: 	<u>10-1-2021</u> Date
City Clerk/Custodian of Records <u>Angela Ivey, City Clerk</u>	Signature: 	<u>10-13-2021</u> Date
City Attorney <u>Johanna Canlas, City Attorney</u>	Signature: 	<u>10-14-21</u> Date

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages FIN

City Clerk – Legal Info, Code Section: GC §34090, CCP 337 Fin 24

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Accounts Payable – Invoices (7 years after audit)

- Jan. – June, 2009
- July – Dec., 2009
- Jan. – June, 2010
- Invoices, Statements & Payment Requests: July – Dec. 2010
- Michael Grant, 2009
- Office Team, 2008-2009

Redevelopment – Working Papers, Corresp. 1990-1999 (2 years)

Bonds (Disposal + 7 years after audit)

- SEJPA Bond Refunding working papers 2011
- SEJPA 1993 Refunding Revenue Bonds working papers 1993
- Cardiff Sanitation District working papers 1993
- SEJPA 1990 Revenue Bonds working papers 1993

Salary Schedules (7 years after audit)

- Effective 1-1-01, First Full Pay Period 7-2001, 7-1-99, 1-1-2000, 1-2003, July 2002, 7-1-00

Safety Meetings – Internal attended by Employees (2 years)

- 2000, 2001, 2003, 2003, 2004, 2005, 2006, 2007, 2008

Accounts Payable (7 years after audit)

- Pending Purchase Order Reports, 2000-2005

Records Prepared / Inventoried By: <u>Kay Vinson</u>	Signature: 	10-5-21
Department Head <u>Ryan Smith</u>	Signature: 	10/13/21
City Clerk/Custodian of Records <u>Angela Ivey</u>	Signature: 	10-13-21
City Attorney <u>Johanna Canlas</u>	Signature: 	10-14-21

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages FIN

City Clerk – Legal Info, Code Section: GC §34090, 26 CFR 16001.1 Fin 25

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Budget Development Documents (When No Longer Required)

- Budget working papers, corresp., FY 2003-2004
- Salaries & Benefits, Payroll Accruals 1989-1999

Accounts Payable/Receivable (7 years after audit)

- Citations – Returned Checks and Refunds 2005 to 5-2013

Warrants – Canceled/Cashed Checks (7 years after audit)

- Tristar Risk Management Checks 2006-2008

Payroll Documents (7 years after audit)

- Firefighter Adjustments, Jan-June 1999
- Payroll Accumulative, 1992-1993

Deferred Comp: City/Employee Statements (all reports) (5 years after audit)

- ICMA Annual Statements, Quarterly Reports & Reports on Assets, 1994 and 1994
- ICMA Report of Assets & Quarterly Reports, 1996 & 1999, and Aetna LI&AC Access Reports, 1999
- ICMA Quarterly & Annual Statements & Reports on Assets, 1993
- ICMA Annual Statements, 1990
- ICMA Quarterly & Annual Statements, 1991, 1992, 1996-1997
- ICMA Quarterly & Annual Reports & Aetna Access Reports, 1998-1999
- Aetna Access Reports, 1988-1989, 1990-1991, 1992-1993, 1993-1994, 1994-1999, 1996-1997, 1997-1998

Accounts Payable: Employee Benefits (7 years after audit)

- Blue Shield – Medical/Eye Payments: Statements and Copies of Checks, FY 2007-2008
- Alliant Insurance Services – Life Insurance: Statements and Copies of Checks, FY 2007-2008
- Employment Development Dept.: Statements and Copies of Checks, FY 2007-2008
- Prepaid Legal Services: Statements and Copies of Checks, FY 2007-2008
- Preferred Benefit Dental Ins.: Invoices and Copies of Checks, FY 2007-2008
- SB Firefighters Association: Payroll Deduction for Dues and Copies of Checks, FY 2007-2008
- Stiles: Payroll Deduction and Copies of Checks, FY 2007-2008
- United Way of San Diego: Payroll Deduction and Copies of Checks, FY 2007-2008
- AFLAC: Invoices, Payroll Deduction and Copies of Checks, FY 2007-2008

Records Prepared / Inventoried By: <u>Kay Vinson</u>	Signature: <u>A. Kay Vinson</u> 10-6-21
Department Head <u>Ryan Smith</u>	Signature: <u>[Signature]</u> 10/13/21
City Clerk/Custodian of Records <u>Angela Ivey</u>	Signature: <u>[Signature]</u> 10-13-21
City Attorney <u>Johanna Canlas</u>	Signature: <u>[Signature]</u> 10-14-21

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages **FIN**

City Clerk – Legal Info, Code Section: GC §34090, §43900, CCP 337, 338 Fin 27

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Bonds/Arbitrage (Investments) (Disposal + 7 years after audit)

- Investment Reports: FYs 2007, 2008, 2009

Accounts Payable: Employee Benefits (7 years after audit)

- Alliant Insurance Services – Life Insurance: Statements and Copies of Checks, 2012
- ING: Access Reports, Remittance confirmation, 2005-2011
- AFLAC: Invoice & Payroll Deduction, 2012
- Creative Benefits: Invoices, Payroll Deduction & Copies of Checks, 2007-2008
- Blue Shield Life & Heath: Statements, Copies of Checks, FY 2010-2011
- Blue Shield Vision: Statements, Copies of Checks, FY 2011-2012
- Preferred Benefit Ins.: Invoices, Copies of Checks, FY 2010-2011 and 2011-2012

Bank Statement & Reconciliation (7 years after audit)

- Union Bank Statement, 8-2011
- Union Bank Manual Issue Entry and Reconciliation, 1-30-2012

Special Assessments Accounting/Payment Administration records (4 years after audit)

- Time Shares: Correspondence: Street Lighting, MID #33 – Hwy. 101 Landscape & Fire Benefit Fees, 1988-1998

Fixed Assets: Disposal (7 years after audit)

- Disposal/Auction records, 2000-2003

Accounts Receivable (7 years after audit)

- Transient Occupancy Tax working file, 1994-1998

Reference Materials Produced by Outside Organizations (When no Longer Required)

- Assessed Valuation Reports, 1998-2000

State Controller's Report (7 years after audit)

- Annual Street Report, Expenditures & Restricted Balances, FYE 6-30-97

Records Prepared / Inventoried By: <u> Kay Vinson </u>	Signature:  10-7-21
Department Head <u> Ryan Smith </u>	Signature:  10/13/21
City Clerk/Custodian of Records <u> Angela Ivey </u>	Signature:  10-13-21
City Attorney <u> Johanna Canlas </u>	Signature:  10-14-21

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages FIN

City Clerk – Legal Info, Code Section: GC §34090, 26 CFR 16001.1, IRS Reg §31.6001-1(e)(2), R&T §19530
Fin 28

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Deferred Comp. City Employee Statements (all reports) (5 years after audit); Accounts Payable (7 years after audit)

- Annual Financial Report for 457-2004; 2004 Annual Report-Vantage Trust; Supplement to Fidelity Insurance Products-April, 2004; Making Sound Investment Decisions Guide & Supplement to 2004/2005; ICMA Remittance Confirmations for 457-FY 2004/2005; Quarterly Financial Reports for 457-2005; 457 Employer Bulletin-2004/2005; Payroll Deductions-FY 2004/2005
- ICMA: Remittance Confirmation for 457-FY 2005/2006; Payroll Deductions 2005/2006; 457 Employer Bulletin 2005
- ING (Aetna): Payment Confirmations 2004/2005; Access Reports 2004/2005; ING Variable Annuity Account C, 2004 Annual Report; ING Newsletters 2004/2005; Payroll Deductions 2004/2005
- ING: Access Reports 2006/2007; Payment Confirmations 2006/2007; Payroll Deductions 2006/2007; ING Corresp./Newsletters
- ICMA: Annual & Quarterly Reports 2005-2007; Remittance Confirmation for 457-2006/2007; Payroll Deductions 2006/2007; Corresp./Newsletters 2004-2007

1099's Issued (7 years after audit)

- Copies of 1099s and 1096 Summary Transmittals, 2008; Vendor Payment History for 2008 and 1099 Edit Report; IRS Error Notices 2009 and Corresp.
- Copies of 1099s and 1096 Summary Transmittals, 2007; Vendor Payment History for 2007 and 1099 Edit Report; Corresp. And Copies of Invoices
- Copies of 1099s and 1096 Summary Transmittal, 2006; Vendor Payment History for 2006 and 1099 Edit Report
- Copies of 1099s and 1096 Summary Transmittal, 2009; Vendor Payment History for 2009 and 1099 Edit Report; 1099 to City from Fuel TV, and returned 1099
- Corresp. Re. 1099, independent contractor reporting with Pentamation, 2002
- Copies of 1099s and 1096 Summary Transmittal, 2005; Vendor Payment History for 2005 and 1099 Edit Report, IRS Corresp and 1099
- Copies of 1099s and 1096 Summary Transmittals, 2010; Vendor Payment History for 2010 and 1099 Edit Report, Instruction Notes and copy of invoices
- Copies of 1099s and 1096 Summary Transmittal, 2011; Vendor Payment History for 2011 and 1099 Edit Report, Copies of Invoices and Corresp.
- Copies of 1099s and 1096 Summary Transmittal, 2012; Vendor Payment History for 2012 and 1099 Edit Report, Copies of Invoices and Corresp.

Records Prepared / Inventoried By: <u>Kay Vinson</u>	Signature:  10-11-21
Department Head <u>Ryan Smith</u>	Signature:  10/13/21
City Clerk/Custodian of Records <u>Angela Ivey</u>	Signature:  10-13-21
City Attorney <u>Johanna Canlas</u>	Signature:  10-14-21

LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages FIN

City Clerk – Legal Info, Code Section: GC §34090, CCP 337 Fin 29

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Journal Entries (7 years after audit)

- Fiscal Year 2003-2004, Periods 1-6, July 2003-Dec 2003
- Fiscal Year 2003-2004, Periods 7-12, Jan 2004-June 2004
- Period 13, FY 2003-2004
- Fiscal Year 2004-2005, Periods 1-6, July 2004-Dec 2004
- Fiscal Year 2004-2005, Periods 7-12, Jan 2005-June 2005
- Period 13, FY 2004-2005
- Fiscal Year 2005-2006, Periods 1-6, July 2005-Dec 2005
- Fiscal Year 2005-2006, Periods 7-12, Jan 2006-June 2006

Records Prepared / Inventoried By: Kay Vinson

Signature:  10-13-21

Department Head Ryan Smith

Signature:  10/13/21

City Clerk/Custodian of Records Angela Ivey

Signature:  10-13-21

City Attorney Johanna Canlas

Signature:  10-11-21



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: October 27, 2021
ORIGINATING DEPT: Engineering Department
SUBJECT: **Project Update to the City Council on the Lomas Santa Fe Corridor Improvement Project – Phase III**

BACKGROUND:

The Lomas Santa Fe (LSF) Corridor Improvement Project (the “Project”) has been in the City’s Work Plan for several years. Phases I and II of the Project were performed during Fiscal Years (FY) 2016/17 and 2017/2018, respectively. Early phases of the project included a Community Walk Audit, identification of infrastructure deficiencies, preparation of a feasibility analysis, development of design options, several community workshops and two City Council meetings.

After receiving project updates and public input during Phases I and II, the City Council directed Staff to move forward with Phase III, which included preparation of final design plans of the Project with the specific direction that no roundabouts be studied and that four lanes (two lanes in each direction) be maintained throughout the corridor. Additional direction was later provided to pursue extension of the multiuse trail on the north side of Lomas Santa Fe east of I-5 to the west of I-5 to the extent feasible.

At the February 19, 2019 City Council meeting, Council authorized the City Manager to enter into a Professional Services Agreement (PSA) with Michael Baker International (MBI) for preparation of final engineering plans, specifications, and a cost estimate for the Project. Since that time, an Open House was held in May 2019 and a Community Workshop was held in October 2019. The results of the community workshop were shared with the City Council on January 22, 2020. Updates on the Project were presented at the September 9, 2020 and the May 26, 2021 City Council meetings.

This item is before the City Council for Staff to provide a final review of the Lomas Santa Fe Corridor Improvement Project for Council input and comments.

COUNCIL ACTION:

DISCUSSION:

Streetscape Features

During the May 26, 2021 Council meeting, the City Council approved the final geometric alignment of the proposed design, including the multiuse trail for both the east side and west side of I-5. Aside from the engineering aspects, City Council was in agreement with maintaining the theme of Highway 101 Westside Improvement Project for streetscape design features including site furnishings (bus shelters, bike racks, waste receptacles, lighting, etc.) along the LSF corridor. Council's discussion was that extending the unique design features from the Highway 101 project in the east-west direction would provide an opportunity to further enhance the aesthetic and visual character of the LSF corridor. With respect to pavement design for the seating areas identified throughout the multiuse trail, City Council directed Staff to consider implementing a paving sample area or "garden" similar to what was done during the Highway 101 Westside Improvement Project and was initially done at Fletcher Cove Park. This concept could easily be implemented during the construction phase of this Project. Council also discussed the timing and synchronization of the traffic signals throughout the corridor including the signals at I-5 interchange. Staff will incorporate this concept into the final design.

Council briefly discussed the various options regarding enhancement of the retaining wall between Santa Helena and Via Mil Cumbres and provided some comments for Staff to explore. Council expressed preference for an enhanced wall design but did not favor a bluff face replica. As part of the presentation from the design team, options will again be presented for the City Council's consideration. Any input received from Council will be incorporated into the final design package. It should be noted that these final design details can be decided upon right up until preparation of final specifications and bid documents that would be prepared prior to construction of the Project.

At this point, the Project is substantially completed and ready for submittal to SANDAG by January 4, 2022, in compliance with our Grant Agreement. Staff is seeking Council authorization to submit the Project and, as noted above, Staff will continue to work with Council on refinement of final design details for incorporation into the plans and specifications that would be put out to bid.

Project Status:

The Project is the recipient of a SANDAG Active Transportation Planning Grant (Grant) in the amount of \$616,050. Pursuant to the Grant Agreement, this phase of the Project was originally expected to be completed in July 2020. Due to the COVID-19 pandemic, SANDAG extended the due date for Grant recipients to April 2021. A second extension was granted that moved the completion date of the Grant to January 4, 2022. The majority of the design is completed and MBI is working to put the finishing touches on the final design package. The input and comments that are expected as part of this Staff Report and presentation should provide sufficient direction for MBI to complete the final design and all other requirements of the Grant before the January 4, 2022 deadline.

Please note that Staff submitted an application in September 2020 for Cycle Five of Caltrans' Active Transportation Grant funding. Although the project scored relatively well, it did not secure grant funding for construction. There was previous discussion about the one-time augmentation of \$2 billion from the State's expected General Fund surplus for the Active Transportation Program (ATP), however, at this point it does not appear as if the augmentation will be moving forward. Staff will continue to monitor this and any other opportunities for construction funding and provide updates to the City Council accordingly.

CEQA COMPLIANCE STATEMENT:

Environmental Review is included in the current SANDAG grant fund allocation and is currently ongoing.

FISCAL IMPACT:

Full funding for Phase III (final design) of the Project was identified as part of Resolution 2019-011, which was adopted on February 13, 2019. The funding sources for Phase III include a SANDAG Active Transportation Planning Grant in the amount of \$616,050 and City matching funds in the amount of \$68,450, which will be taken from the City's TransNet funds that were appropriated in the FY 2019/20 and 2020/21 Adopted Budget and was carried over to the FY 2021/22 and 2022/23 Adopted Budget. The total amount of Phase III of the Project is \$684,500 and is already programmed in the Regional Transportation Improvement Program through SANDAG and the City's Capital Improvement Program section of the FY 2021/22 and 2022/23 Adopted Budget.

WORK PLAN:

This project is consistent with Item B.6 of the Community Character Priorities of the current Council Work Plan.

OPTIONS:

- Receive report.
- Provide input and comments.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council receive this final report and provide input and comments on the Lomas Santa Fe Corridor Improvement Project.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager



STAFF REPORT

CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: October 27, 2021
ORIGINATING DEPT: City Manager's
SUBJECT: **Council Consideration of Resolution 2021-123 in Opposition to New Offshore Oil and Gas Drilling and in Support of the American Coasts and Oceans Protection Act (HR 3053)**

BACKGROUND:

In October of this year, an oil spill in Huntington Beach left fish dead, birds mired in petroleum and wetlands contaminated, in what local officials called an environmental catastrophe. In the wake of this spill, there is a resurgence of urgency to ban future drilling off the California coast to preserve the environment and to minimize risks to the Southern California economy which depends upon coastal tourism and recreation.

In San Diego and Orange Counties, the ocean economy accounts for roughly \$7.7 billion dollars in economic activity and sustains more than 140,000 jobs in coastal tourism and recreation. Fishing, tourism, and recreation along California's coastline supports nearly 600,000 jobs and roughly \$42.3 billion in economy activity. More than 4 million gallons of oil have been released into the Pacific Ocean before the Huntington spill, as a result of the 1969 Santa Barbara spill, the Refugio Beach spill of 2015, and other leaks from oil rigs and pipeline activity, affecting more than 935 square miles of ocean.

In May of this year, U.S. Representative Mike Levin introduced the American Coasts and Oceans Protection Act to prohibit any new leasing for the exploration, development, or production of oil or natural gas along the Southern California coast, from San Diego to the northern border of San Luis Obispo County. In response to the recent oil spill, U.S. Representative Levin and U.S. Representative Alan Lowenthal wrote a letter signed by 77 House of Representative colleagues urging House Speaker Nancy Pelosi and Majority Leader Steny Hoyer to ensure the Federal Government's Build Back Better

CITY COUNCIL ACTION:

Act retains provisions to ban any new federal oil and gas leasing off the Pacific and Atlantic coasts and in the Eastern Gulf of Mexico.

This item is before Council to consider approving Resolution 2021-123 (Attachment 1) to oppose new offshore oil and gas drilling and to express support of the American Coasts and Oceans Protection Act (HR 3053).

DISCUSSION:

The American Coasts and Protection Act would amend Section 8 of the Outer Continental Shelf Lands Act 4 (43 U.S.C. 1337) and codify a prohibition of new oil and gas leases off the southern California coast. New oil and gas leasing would be prohibited on the outer shelf of the Southern California Planning area, which includes the adjacent coast to Solana Beach.

Offshore oil drilling and oil spills critically impact already stressed marine ecosystems and lead to the industrialization of the coastline. Oil exploration requires the use of seismic surveys which emit high-decibel explosive impulses to map the seafloor. The noise from these surveys can damage or kill marine life. The process of drilling releases thousands of gallons of polluted water known as “drilling muds”. These muds contain toxic substances like benzene, zinc, arsenic, radioactive materials, and other contaminants used to lubricate drill bits and maintain pressure. Pending the level of toxicity, these muds are legally allowed to be released back into the marine environment. The process of drilling also releases thousands of tons of nitrogen oxides (NOx) and volatile organic compounds (VOCs) in addition to methane all of which can directly harm human health and cause water quality deterioration, smog and contribute to climate change.

But the most visible harm to the environment occurs when there is an oil spill, which is considered an unavoidable part of offshore oil drilling. The oil spills resulting from accidents are widely reported. However, according to one study (Committee on Oil in the Sea, 2003, National Research Council of the National Academies), each year, about 880,000 gallons of oil are sent to the ocean from North American offshore oil drilling platforms during normal operations even if there were no accidents.

In addition to the environmental impacts of oil drilling, there are also economic ones. Offshore oil and gas production produces direct financial benefit for the US Treasury. The Bureau of Ocean Energy Management (BOEM) indicates that revenues to the Treasury exceed \$2.5 Billion annually. However, any financial benefits to local governments and economies are dispersed. Of that \$2.5 Billion, around \$150 Million goes towards grant programs for conservation or preservation projects. Conversely, economic risk is shouldered directly by local governments and populations. Staff believes that the more significant economic consideration for Solana Beach specifically is the preservation of the local tourism and recreation economy and the maintenance of quality of life and property value considerations.

Instead of advocating for transient and environmentally harmful ways to meet America's energy needs, a comprehensive and environmentally sustainable energy plan that includes energy conservation could be the most economical and environmental way to achieve energy independence from fossil fuels. Riding mass transit, increasing auto efficiency, improving building insulation, and better management of electrical use in homes/businesses, are just a few ways to reduce oil and energy consumption. Conservation is much cheaper and healthier than investing in further development of dwindling offshore oil reserves. Additionally, technological advances in renewable sources have substantially reduced the cost of wind and solar energy production. As the capacity to store renewable energy increases, the ability for renewables to provide a consistent base load of electricity to the grid will as well.

In 2018, the City Council adopted Resolution 2018-007 (Attachment 2) affirming the City's support for a ban on new offshore oil and gas drilling, tracking, and related techniques in federal and state waters off the coast of California; and affirming that the City opposes any new federal oil and gas leasing in these areas. Expressing support of the American Coasts and Oceans Protection Act aligns with this previously adopted resolution to oppose new offshore oil and gas drilling and with the City's broader environmental sustainability goals.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

There will be no fiscal impact as a result of this item.

WORK PLAN:

This item is not identified in the Work Plan but is consistent with its Environmental Sustainability priorities.

OPTIONS:

- Approve Staff recommendation.
- Deny Staff recommendation and provide direction/feedback.
- Provide alternate direction to Staff.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council adopt Resolution 2021-123 to oppose new offshore oil and gas drilling and to express support of the American Coasts and Oceans Protection Act (HR 3053).

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager

Attachments:

1. Resolution No. 2021-123
2. Resolution No. 2018-007

RESOLUTION 2021-123

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, IN OPPOSITION TO NEW OFFSHORE OIL AND GAS DRILLING AND IN SUPPORT OF THE AMERICAN COASTS AND OCEANS PROTECTION ACT (HR 3053)

WHEREAS, Solana Beach residents value the Pacific Ocean and its coastal waters, which provide habitat to a vast array of wildlife, including fish, whales, sea turtles, and birds that depend on a healthy and clean environment; and

WHEREAS, the City of Solana Beach and its visitors enjoy California's beaches and the Pacific Ocean for recreational and commercial activities, all of which support our local economy; and

WHEREAS, in California, hundreds of thousands of jobs and billions of dollars of the state's gross domestic product depend on clean water, oil-free beaches, and abundant fish and wildlife; and

WHEREAS, offshore oil and gas drilling places coastal communities at economic and ecological risk from oil spills and the pollution brought by routine drilling operations, threatening the lives and livelihoods of small business owners, particularly commercial and recreational fisherman and local tourism based businesses; and

WHEREAS, a massive oil spill in 1969 off the coast of Santa Barbara fouled coastal waters and caused catastrophic economic and environmental damage; and

WHEREAS, in May 2015, a pipeline ruptured near Refugio State Beach in Santa Barbara County and spilled oil into the Pacific Ocean, with oil reaching as far south as Orange County, damaging wildlife, closing beaches, and impacting recreational and commercial activities; and

WHEREAS, a major spill off Huntington Beach in October 2021 dumped a significant amount of oil into our coastal waters, resulting in beach closures, impacts to recreational and commercial activities, and significant environmental and economic damage; and

WHEREAS, the State of California prohibits new oil and gas leasing in state waters due to the unacceptably high risk of damage and disruption to the marine environment; and

WHEREAS, the Governor of California, the State Senate, the State Lands Commission, and several cities, have taken a stand against new federal offshore oil and gas leases in the Pacific Ocean, and several municipalities have called for a ban on

offshore drilling; and

WHEREAS, expanding offshore drilling off the California coast will deepen the state's dependence on fossil fuels and undermine its efforts to address climate change by reducing greenhouse gas emissions and moving toward renewable energy.

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the above recitations are true and correct.
2. That City Council opposes any new offshore oil and gas drilling off the California coast.
3. That the City Council supports the American Coasts and Oceans Protection Act (HR 3053).

PASSED AND ADOPTED this 27th day of October, 2021, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES: Councilmembers –
NOES: Councilmembers –
ABSTAIN: Councilmembers –
ABSENT: Councilmembers –

LESA HEEBNER, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

RESOLUTION 2018-007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, OPPOSING NEW OFFSHORE OIL AND GAS DRILLING

WHEREAS, the City of Solana Beach values our ocean waters and coast which provide habitat to a vast array of wildlife including marine mammals, birds and fish that depend on a healthy and clean ocean environment; and

WHEREAS, our City depends on the thousands of visitors who enjoy recreational activities on our beaches for tourism and local economic support; and

WHEREAS, offshore oil and gas drilling off the Pacific coast puts these coastal resources at risk of oil spills and other damage; and

WHEREAS, the current exclusion of the Pacific Outer Continental Shelf from new oil and gas development is consistent with the long-standing interests of Pacific Coast States as framed in the 2006 Agreement on Ocean Health adopted by the Governors of California, Washington and Oregon; and

WHEREAS, the State of California prohibits new leasing in state waters because of the unacceptably high risk of damage and disruption to the marine environment and economy of the state; and

WHEREAS, the America First Offshore Energy Executive Order could open the Pacific, Atlantic and Arctic Oceans to new drilling, fracking and other well stimulation, putting California's coastal resources at risk of more oil spills, increased greenhouse gases, continued dependence on fossil fuels and impacts of climate change and which could delay the movement toward greater reliance on renewable energy; and

WHEREAS, the City of Solana Beach has long been a leader in environmental sustainability and has recently adopted a Climate Action Plan that aims to reduce greenhouse gas emissions and promote clean and renewable energy; and

WHEREAS, the City of Solana Beach opposes an expansion of offshore oil and gas drilling because of the threat to our coast, wildlife, climate and coastal economy.

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the above recitations are true and correct.


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2. That City Council opposes any new offshore oil and gas drilling off the California coast and supports any legislation that opposes the America First Offshore Energy Executive Order.

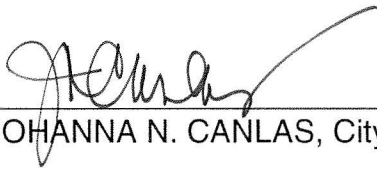
PASSED AND ADOPTED this 24th day of January, 2018, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES: Councilmembers – Zito, Edson, Hegenauer, Nichols
NOES: Councilmembers – None
ABSTAIN: Councilmembers – Marshall
ABSENT: Councilmembers – None



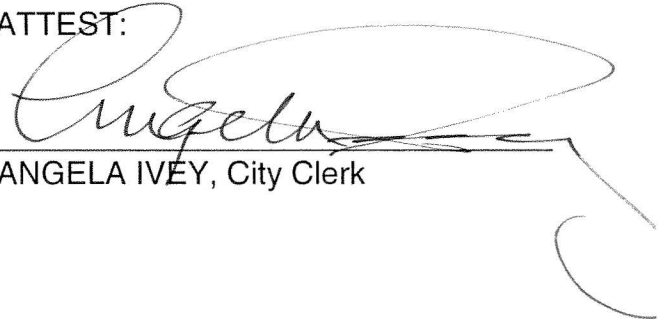
GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

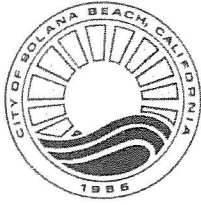


JOHANNA N. CANLAS, City Attorney

ATTEST:



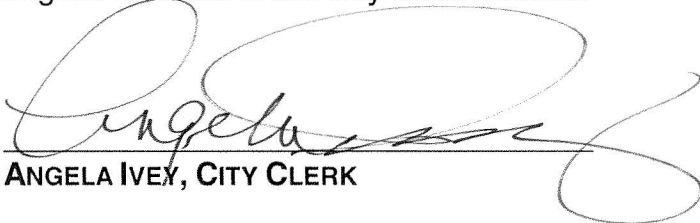
ANGELA IVEY, City Clerk



RESOLUTION CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } §
CITY OF SOLANA BEACH }

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **Resolution 2018-007** *opposing new offshore oil and gas drilling* as duly passed and adopted at a Regular Solana Beach City Council meeting held on the 24th day of January 2018. The original is on file in the City Clerk's Office.


ANGELA IVEY, CITY CLERK

CERTIFICATION DATE: February 5, 2018



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: October 27, 2021
ORIGINATING DEPT: Finance
SUBJECT: **General Fund Update (Unaudited) for FY 2020/21**

BACKGROUND:

The City of Solana Beach (City) expects to have its Comprehensive Annual Financial Report (CAFR) completed by mid-December. In the interim, Staff is presenting financial information for the General Fund for Fiscal Year (FY) 2020/21.

This item is before the City Council (Council) to accept and file the General Fund Update (Unaudited) for FY 2020/21 and to consider adoption of Resolution 2021-124 (Attachment 1) revising appropriations in the FY 2020/21 and FY 2021/22 Budgets.

DISCUSSION:

Staff is presenting unaudited General Fund revenue and expenditure financial information for FY 2020/21. The following discussion is intended to highlight the areas of the budget – both revenues and expenditures – where the largest impacts were realized. If there are specific questions regarding any areas of the budget that Council may have, Staff will be prepared to address them.

The information presented is unaudited and certain assumptions were made as to revenues and expenditures that may still be adjusted. Staff will return to Council at a later Council meeting to present the audited Comprehensive Annual Financial Report (CAFR).

Revenues

Revenues (unaudited) for the General Fund are summarized in Table 1, on the next page, and are provided in detail in Attachment 2.

CITY COUNCIL ACTION:

TABLE 1
GENERAL FUND REVENUES

GENERAL FUND REVENUE	ADOPTED BUDGET	TRANFRS/ADJSMTS	REVISED BUDGET	ACTUAL	VARIANCE WITH REVISED BUDGET POSITIVE (NEGATIVE)	
					\$	%
TAXES	15,305,400.00	(54,300.00)	15,251,100.00	15,688,550.34	437,450.34	2.9%
LICENSES AND PERMITS	427,800.00	(4,000.00)	423,800.00	521,627.79	97,827.79	23.1%
FINES AND PENALTIES	468,000.00	(162,000.00)	306,000.00	244,330.72	(61,669.28)	-20.2%
USE OF REVENUE AND PROPERTY	195,000.00	45,000.00	240,000.00	1,393.51	(238,606.49)	-99.4%
INTERGOVERNMENTAL REVENUES	2,070,800.00	32,400.00	2,103,200.00	2,155,847.84	52,647.84	2.5%
SERVICE CHARGES	766,100.00	(91,600.00)	674,500.00	1,006,034.78	331,534.78	49.2%
OTHER REVENUE	594,500.00	173,500.00	768,000.00	803,655.54	35,655.54	4.6%
TOTAL GENERAL FUND REVENUE	19,827,600.00	(61,000.00)	19,766,600.00	20,421,440.52	654,840.52	3.3%

In June 2019, the City Council approved a General Fund revenue budget totaling \$19,827,600 for FY 2020/2021. The COVID-19 pandemic resulted in an economic downturn that began in mid-March 2020. Staff provided an update to Council in July 2020 with a projected reduction in General Fund revenue by \$495,000. The mid-year budget update was presented to Council on February 26, 2021. Staff analyzed actual revenue received and anticipated that the City would receive an additional \$354,000 in revenues for the fiscal year, primarily in Short-Term Vacation Rental and Building Permit revenue categories.

The revised General Fund revenue budget for FY 2020/21 was \$19,766,600. Actual revenues collected for the fiscal year equal \$20,421,440, an increase over the revised budget by \$654,840 or 3.3%.

The following represents the highlights of the FY 2020/21 General Fund Budget:

Revenues

- **Sales Tax:** Actual Sales Tax revenue was \$356,565 higher than the revised budget projections. The increase is primarily attributed to a strong second half of FY 21, as the COVID-19 vaccine roll-out began and was reflected in a return to in-store shopping. Restaurant activity also rebounded in the fourth quarter of FY 21 to prior year levels.
- **Transient Occupancy Tax (TOT):** Hotel Transient Occupancy Tax revenue was \$185,230 less than the revised budget. The hotel TOT shortfall was partially offset by Short-Term Vacation Rental (STVR) TOT revenue that was \$81,720 higher than the revised budget. The variances reflect travelers' preference for STVR accommodations over traditional hotels during the COVID-19 pandemic.
- **Real Property Transfer Tax:** Real Property Transfer Tax revenues totaled \$313,046 in FY 21, or \$63,046, higher than the revised budget. The positive variance in this category was caused by both an increase in property sales prices and an increase in sales activity in FY 21.
- **Development Related:** Building Permits, Building Plan Checks, Planning and Zoning, Engineering Fees, and Public Facilities Fee revenue categories totaled

\$512,676 higher than the revised budget. The variance was due to an overall higher than expected increase in permit activity in FY 21. In addition, large development projects at Santa Fe Christian, Solana Highlands, and Solana 101 led to one-time increases in the permit and plan check categories.

- **Investment Interest Earnings:** Investment earnings in FY 21 totaled \$139,067 or \$10,933.30 less than the revised budget. The shortfall is due to the prolonged low interest rate environment. In addition, the Government Accounting Standards Board (GASB) statements #31 & #72 require the City to book the annual change in the market value of the investment portfolio to Investment Earnings revenue. In FY 21, the market value of the City's General Fund portfolio decreased \$188,748.

Expenditures

Expenditures (unaudited) for the General Fund are summarized in Table 2, below, and are provided in detail in Attachment 3 by function and Attachment 4 by object classification.

GENERAL FUND REVENUE	ADOPTED BUDGET	TRANFRS/ADJSMTS	REVISED BUDGET	ACTUAL	VARIANCE WITH REVISED BUDGET POSITIVE (NEGATIVE)	
					\$	%
GENERAL GOVERNMENT	3,947,500.00	223,151.00	4,170,651.00	3,798,074.69	372,576.31	8.9%
COMMUNITY DEVELOPMENT	1,480,400.00	(58,000.00)	1,422,400.00	1,448,088.44	(25,688.44)	-1.8%
PUBLIC SAFETY	10,802,900.00	129,900.00	10,932,800.00	10,831,899.75	100,900.25	0.9%
PUBLIC WORKS	2,661,000.00	(282,800.00)	2,378,200.00	2,174,077.21	204,122.79	8.6%
COMMUNITY SERVICES	710,700.00	(18,258.00)	692,442.00	639,715.29	52,726.71	7.6%
TRANSFERS OUT	-	151,100.00	151,100.00	151,100.00	-	0.0%
TOTAL GENERAL FUND REVENUE	19,602,500.00	145,093.00	19,747,593.00	19,042,955.38	704,637.62	3.6%

Overall, expenditures from the General Fund totaled \$19,042,955 in FY 2020/21, which was \$559,545 less than expenditures of \$19,602,500 adopted as part of the two-year budget for FY's 2020 and 2021 in June 2019. The expenditure budget was revised to \$19,747,593 in February 2021. Expenditures were \$704,637.62, or 3.6%, less than the revised expenditure budget amount.

The following represents the expenditure highlights of the FY 2020/21 Budget:

- **Salaries and Fringe Benefit Costs:**
 - Actual salaries and benefit costs totaled \$8,787,956, which was \$127,919 less than the revised budget.
 - Regular Salaries and Fringe Benefits were under spent by a combined total of \$435,124, due in part to vacancies in the Fire, Finance, and Engineering Departments. These savings were partially offset by increased expenses in the Part-Time and Overtime cost categories.

- **Professional Services:**

- **Legal Services:** Actual expenditures for legal professional services were \$253,612 as compared to the amended budget amount of \$450,000, resulting in a savings for this budget unit of \$196,388.
- **Building:** There was an over expenditure of \$164,198 in Building professional services as actual expenditures equaled \$506,898 compared to the revised budget amount of \$342,700. This budget unit is used to pay EsGil, the City's third-party building permit and plan check services provider. EsGil receives 75% of certain development related revenues, and when these revenues were reduced in response to the anticipated impact of COVID-19, EsGil's budgeted payments were similarly reduced. Now that development related revenues have increased, payments to EsGil also have increased.
- **Public Works:** Total savings of \$98,704 was realized in Professional Services for the Public Works Department in the following areas: \$3,139 in Engineering, \$17,092 in Environmental Services, \$6,695 in Street Maintenance, \$35,375 in Traffic Safety, \$14,256 in Street Sweeping, \$6,753 in Park Maintenance, and \$15,394 in Public Facilities.

- **Maintenance:** Building & Ground Maintenance, Equipment Maintenance, and Vehicle Maintenance all realized savings as compared to the revised budget in FY 2020/21. The budget for Building & Ground Maintenance was \$406,400 and actual expenditures equaled \$353,002, resulting in a \$53,397, or 15.1%, savings. The budget for Equipment Maintenance was \$207,400 and actual expenditures equaled \$170,869, resulting in a \$36,531, or 21.4%, savings. Equipment Maintenance was budgeted at \$92,100 and actual expenditures equaled \$65,607, resulting in a \$26,492, or 40.4%, savings.

All other Materials, Supplies and Services expenditure categories realized savings for the fiscal year.

Schedule of Revenue, Expenditures, and Changes In Fund Balance

The General Fund's beginning fund balance at July 1, 2020 was \$10,466,843. With the unaudited revenue and expenditures reported for the Fiscal Year 2020/21, the projected unaudited fund balance will be \$11,845,328 as detailed in Table 3.

**TABLE 3
 GENERAL FUND - FUND BALANCE**

BEGINNING FUND BALANCE AT 07/01/2020	\$	10,466,843
REVENUES		20,421,441
EXPENDITURES		19,042,955
NET SURPLUS (DEFICIT)	\$	1,378,485
ENDING FUND BALANCE AT 6/30/2021	\$	11,845,328

Payment to PARS Trust

In FY 2014/15, the City Council approved and established a combined PARS Pension and OPEB Trust. Through FY 2019/20, Council has allocated a total of \$2,428,051 to the Trust using a portion of each of the FY's General Fund surpluses as detailed in Table 4.

**TABLE 4
 PARS CONTRIBUTIONS**

FISCAL YEAR	PROJECTED SURPLUS	PENSION	OPEB	TOTAL
2015	\$ 907,284	\$ 500,000	\$ -	\$ 500,000
2016	613,462	316,209	135,000	451,209
2017	1,123,432	347,094	85,376	432,470
2018	1,121,884	357,098	87,689	444,787
2019	1,768,986	623,724	253,516	877,240
2020	1,046,698	283,926	198,000	481,926
2021	1,378,485	-	204,000	204,000
2022*	-	-	138,000	138,000
2023*	-	-	137,000	137,000
	\$ 7,960,231	\$ 2,428,051	\$ 1,101,581	\$ 3,666,632

*Budgeted

As part of the adoption of the FY 2021/22 and 2022/23 Budget, the City continued its funding policy for the OPEB PARS Trust (\$138,000 in FY 2021/22 and \$137,000 in FY 2022/23) to match the Actuarial Determined Contribution (ADC).

To continue funding the Pension portion of the PARS Trust, Staff is recommending that Council again consider setting aside a portion of the FY 2020/21 projected surplus to fund the Pension Trust. Staff has prepared a resolution that will be updated if Council concurs and determines the General Fund amounts that will be used to fund the PARS Pension Trust. Since the Pension Trust provide funds for employee benefits, and employee benefits are paid by both General Fund and non-General Fund funds, an allocation method will used to ensure all funds which pay employee benefits contribute to the Trust payments. The General Fund portion of the contribution will be budgeted and paid from the FY 2021/22 Unreserved General Fund balance.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

Staff is recommending the following budget adjustments be made to the FY 2020/21 Budget for auditing purposes.

General Fund

- Increase of \$11,500 in Contribution to Agencies in the City Council budget unit to reflect additional contributions previously approved by the City Council.
- Increase of \$7,550 in Regular Salaries in the City Council budget unit to reflect the Council compensation change that went into effect in January 2021.
- An increase in Professional Services in the Building Services budget unit of \$164,200 to reflect amounts to EsGil due to increased permit fee revenues.
- Increase of \$43,850 for Part-Time wages in the Marine Safety budget unit for an increased demand in seasonal lifeguards in 2020 and 2021.

Other Funds

- Increase of \$47,650 in the Workers Compensation internal service fund for increase in claims activity.
- Increase of \$250 in the Facilities Replacement internal service fund professional services for an increase in the allocation of banking fees.
- An increase of \$13,200 in the Pension Stabilization fund professional services for increased banking and investment fees.
- Increase in Utilities in the Santa Fe Hills MID fund of \$14,100 for increased water expenses.
- Increase in the San Elijo #3 MID fund of \$1,050 for increased professional service costs.
- Increase of \$625 in the Fire Mitigation Fees fund for additional clothing costs.
- An increase of \$125 in the RTCIP fund professional services for banking and investment costs.
- An increase in Interest Expense in the TransNet Extension fund of \$325,105 for interest due on the Build America Bond (BAB) that was issued with SANDAG in 2010.
- Increase of \$298,650 in the Civil Defense budget unit within the Per Capita Grant Fund for COVID-19 related CARES grant expenditures.
- Increase of \$100 in the SB1 RMRA fund professional services for an increase in the allocation of banking and investment fees.
- An increase of \$241,100 in salary, benefits, services, and supplies in the Public Safety Special Revenue fund to account for overtime costs for City firefighters who staffed either City of Del Mar or City of Encinitas fire stations in accordance with the Fire Resource Pool agreement or for firefighters who worked strike teams fighting fires outside the County. The City will be fully reimbursed by the cities or other agencies for these costs.

- Increase of \$525 in the Transportation Impact Fee fund professional services for an increase in the allocation of banking and investment fees.

If authorized by Council, Staff is recommending the following budget adjustments be made to the FY 2021/22 Budget.

PARS Trust Funds

- Budget appropriations, as determined by the Finance Department, if Council authorizes funds be used from the projected FY 2020/21 General Fund surplus to fund the PARS Pension Trust.

WORK PLAN: N/A

OPTIONS:

- Approve Staff recommendation.
- Provide alternative direction.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council:

1. Accept and file the General Fund Update for Fiscal Year 2020/21.
2. Provide direction to Staff regarding whether to use an amount of the projected General Fund surplus to fund the PARS Irrevocable Trust for Pensions as part of a budget appropriation to the General Fund Unreserved Fund Balance, and other funds as determined by the Finance Department, in Fiscal Year 2021/22.
3. Approve Resolution 2021-124 revising appropriations in the Fiscal Year 2020/21 and Fiscal Year 2021/22 budgets.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager

Attachments:

1. Resolution 2021-124
2. General Fund Revenues for FY 2020/21
3. General Fund Expenditures by Function for FY 2020/21
4. General Fund Expenditures by Object Code for FY 2020/21

RESOLUTION 2021-124

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, REVISING APPROPRIATIONS IN THE FISCAL YEAR 2020/21 AND FISCAL YEAR 2021/22 BUDGETS AND AUTHORIZING THE CITY TREASURER TO AMEND THE BUDGETS ACCORDINGLY

WHEREAS, during the course of the fiscal year, new information becomes available to Staff which require adjustments to the adopted budget; and

WHEREAS, Section 3.08.040 of the Solana Beach Municipal Code limits the purchases by departments within the total departmental budget appropriations; and

WHEREAS, the City's Operating Budget Policies state that total expenditures of a particular fund may not exceed that which is appropriated by the City Council, without a budget amendment; and

WHEREAS, the City Manager, in coordination with the Finance Director, reviewed and analyzed the expenditures of the Fiscal Year 2020/21 and Fiscal Year 2021/22 Adopted Budgets, and recommend certain amendments be made to the General Fund as well as other funds.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Solana Beach, California, does hereby resolve as follows:

1. That the above recitations are true and correct.
2. That the City Treasurer is authorized to amend appropriations in the 2020/21 fiscal year budget as follows:
 - a. General Fund
 - i. Increase of \$11,500 in Contribution to Agencies in the City Council budget unit to reflect additional contributions previously approved by the City Council.
 - ii. Increase of \$7,550 in Regular Salaries in the City Council budget unit to reflect the Council compensation change that went into effect in January 2021.
 - iii. An increase in Professional Services in the Building Services budget unit of \$164,200 to reflect amounts to EsGil due to increased permit fee revenues.
 - iv. Increase of \$43,850 for Part-Time wages in the Marine Safety budget unit for an increased demand in seasonal lifeguards in 2020 and 2021.
 - b. Increase of \$47,650 in the Workers Compensation internal service fund for increase in claims activity.

- c. Increase of \$250 in the Facilities Replacement internal service fund professional services for an increase in the allocation of banking fees.
 - d. An increase of \$13,200 in the Pension Stabilization fund professional services for increased banking and investment fees.
 - e. Increase in Utilities in the Santa Fe Hills MID fund of \$14,100 for increased water expenses.
 - f. Increase in the San Elijo #3 MID fund of \$1,050 for increased professional service costs.
 - g. Increase of \$625 in the Fire Mitigation Fees fund for additional clothing costs.
 - h. An increase of \$125 in the RTCIP fund professional services for banking and investment costs.
 - i. An increase in Interest Expense in the TransNet Extension fund of \$325,105 for interest due on the Build America Bond (ABA) that was issued with SANDAG in 2010.
 - j. Increase of \$298,650 in the Civil Defense budget unit within the Per Capita Grant Fund for COVID related CARES grant expenditures.
 - k. Increase of \$100 in the SB1 RMRA fund professional services for an increase in the allocation of banking and investment fees.
 - l. An increase of \$241,100 in salary, benefits, services, and supplies in the Public Safety Special Revenue fund to account for overtime costs for City firefighters who staffed either City of Del Mar or City of Encinitas fire stations in accordance with the Fire Resource Pool agreement or for firefighters who worked strike teams fighting fires outside the County. The City will be fully reimbursed by the cities or other agencies for these costs.
 - m. Increase of \$525 in the Transportation Impact Fee fund professional services for an increase in the allocation of banking and investment fees.
3. That the City Treasurer is authorized to amend appropriations in the 2021/22 fiscal year budget as follows:
- a. Appropriations from the General Fund of \$XXX.XX from the General Fund Fiscal Year 2020/21 projected surplus and proportionally to other funds to fund the PARS Pension Stabilization Trust

PASSED, APPROVED AND ADOPTED by the City Council of the City of Solana Beach, California, this 27th day of October 2021, by the following vote:

AYES: Councilmembers –
NOES: Councilmembers –
ABSENT: Councilmembers –
ABSTAIN: Councilmembers –

LESA HEEBNER, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

**GENERAL FUND
REVENUES
FY 2020-21**

GENERAL FUND REVENUE	ADOPTED BUDGET	TRANFRS/ADJSMTS	REVISED BUDGET	ACTUAL	VARIANCE WITH REVISED BUDGET	
					POSITIVE (NEGATIVE) \$	%
TAXES						
PROPERTY TAXES - CURRENT	8,561,500.00	115,000.00	8,676,500.00	8,673,366.78	(3,133.22)	0.0%
PROPERTY TAXES-DELINQUENT	25,000.00	-	25,000.00	74,903.47	49,903.47	199.6%
TOTAL PROPERTY TAXES	8,586,500.00	115,000.00	8,701,500.00	8,748,270.25	46,770.25	0.5%
SALES & USE TAX	3,308,700.00	24,300.00	3,333,000.00	3,689,565.53	356,565.53	10.7%
TRANSIENT OCCUPANCY TAX	1,000,000.00	(266,200.00)	733,800.00	548,569.31	(185,230.69)	-25.2%
SHORT TERM VAC RENTAL TOT	420,000.00	70,600.00	490,600.00	572,319.98	81,719.98	16.7%
FRANCHISE FEES	818,800.00	(68,000.00)	750,800.00	789,364.34	38,564.34	5.1%
REAL PROPERTY TRANSFR TAX	180,000.00	70,000.00	250,000.00	313,045.71	63,045.71	25.2%
BENEFIT FEES	440,000.00	-	440,000.00	465,769.41	25,769.41	5.9%
STREET SWEEPING	51,100.00	-	51,100.00	48,148.72	(2,951.28)	-5.8%
HOUSEHOLD HAZARDOUS WASTE	30,300.00	-	30,300.00	32,099.16	1,799.16	5.9%
NPDES FEES	262,000.00	-	262,000.00	250,467.39	(11,532.61)	-4.4%
RDA PASS THRU PAYMENTS	208,000.00	-	208,000.00	230,930.54	22,930.54	11.0%
TOTAL OTHER TAXES	6,718,900.00	(169,300.00)	6,549,600.00	6,940,280.09	390,680.09	6.0%
TOTAL TAXES	15,305,400.00	(54,300.00)	15,251,100.00	15,688,550.34	437,450.34	2.9%
LICENSES AND PERMITS						
BUSINESS REGISTRATION	148,700.00	(30,000.00)	118,700.00	56,753.00	(61,947.00)	-52.2%
BUILDING PERMITS	252,100.00	28,000.00	280,100.00	437,875.79	157,775.79	56.3%
OTHER PERMITS	27,000.00	(2,000.00)	25,000.00	26,999.00	1,999.00	8.0%
TOTAL LICENSES AND PERMITS	427,800.00	(4,000.00)	423,800.00	521,627.79	97,827.79	23.1%
FINES AND PENALTIES						
CVC FINES	135,000.00	(45,000.00)	90,000.00	84,128.26	(5,871.74)	-6.5%
ADMIN CITATIONS	4,000.00	-	4,000.00	16,654.16	12,654.16	316.4%
PARKING CITATIONS	136,000.00	(72,000.00)	64,000.00	26,301.50	(37,698.50)	-58.9%
REDFLEX CITATIONS	190,000.00	(45,000.00)	145,000.00	117,046.80	(27,953.20)	-19.3%
FALSE ALARM FINES	3,000.00	-	3,000.00	200.00	(2,800.00)	-93.3%
TOTAL FINES AND PENALTIES	468,000.00	(162,000.00)	306,000.00	244,330.72	(61,669.28)	-20.2%
USE OF MONEY AND PROPERTY						
INTEREST EARNINGS	105,000.00	45,000.00	150,000.00	139,066.70	(10,933.30)	-7.3%
GAIN/LOSS ON FAIR MARKET VALUE	-	-	-	(188,748.15)	(188,748.15)	-
PROPERTY RENTAL	90,000.00	-	90,000.00	51,074.96	(38,925.04)	-43.3%
TOTAL USE OF REVENUE AND PROPERTY	195,000.00	45,000.00	240,000.00	1,393.51	(238,606.49)	-99.4%
INTERGOVERNMENTAL REVENUES						
MOTOR VEHICLE IN LIEU	1,784,100.00	32,400.00	1,816,500.00	1,826,819.49	10,319.49	0.6%
STATE HOE	51,000.00	-	51,000.00	50,292.74	(707.26)	-1.4%
OFF TRACK BETTING	25,000.00	-	25,000.00	3,626.79	(21,373.21)	-85.5%
PALOMAR COLLEGE REIMB	-	-	-	7,371.00	7,371.00	-
FIRE REV FM OTHER AGENCES	189,700.00	-	189,700.00	191,416.00	1,716.00	0.9%
MISCELLANEOUS - INTERGOV	21,000.00	-	21,000.00	76,321.82	55,321.82	263.4%
TOTALS INTERGOVERNMENTAL REVENUE	2,070,800.00	32,400.00	2,103,200.00	2,155,847.84	52,647.84	2.5%
SERVICE CHARGES						
PLANNING AND ZONING	189,100.00	(47,300.00)	141,800.00	208,082.25	66,282.25	46.7%
BUILDING PLAN CHECK FEES	226,900.00	43,300.00	270,200.00	352,254.98	82,054.98	30.4%
PUBLIC FACILITIES FEES	55,000.00	(13,800.00)	41,200.00	180,699.78	139,499.78	338.6%
ENGINEERING FEES	215,300.00	(53,800.00)	161,500.00	228,563.58	67,063.58	41.5%
FIRE FEES	79,800.00	(20,000.00)	59,800.00	27,992.04	(31,807.96)	-53.2%
MISCELLANEOUS SERVICE CHARGES	-	-	-	8,442.15	8,442.15	-
TOTAL SERVICE CHARGES	766,100.00	(91,600.00)	674,500.00	1,006,034.78	331,534.78	49.2%
OTHER REVENUE						
COMMUNITY GRANTS	15,000.00	15,000.00	30,000.00	30,000.00	-	0.0%
PUBLIC ARTS	-	-	-	5,184.75	5,184.75	-
MISCELLANEOUS REVENUES	108,500.00	(17,600.00)	90,900.00	93,757.10	2,857.10	3.1%
ADMINISTRATIVE REVENUE	471,000.00	176,100.00	647,100.00	674,713.69	27,613.69	4.3%
TOTAL OTHER REVENUE	594,500.00	173,500.00	768,000.00	803,655.54	35,655.54	4.6%
TOTAL GENERAL FUND REVENUE	19,827,600.00	(61,000.00)	19,766,600.00	20,421,440.52	654,840.52	3.3%

**GENERAL FUND
EXPENDITURES BY FUNCTION
FY 2020-21**

GENERAL FUND EXPENDITURES	ADOPTED BUDGET	TRANFRS/ADJSMTS	REVISED BUDGET	ACTUAL	VARIANCE WITH REVISED BUDGET POSITIVE (NEGATIVE)	
					\$	%
GENERAL GOVERNMENT						
CITY COUNCIL	326,400.00	(3,900.00)	322,500.00	338,198.36	(15,698.36)	-4.9%
CITY CLERK	533,800.00	115,700.00	649,500.00	597,329.56	52,170.44	8.0%
CITY MANAGER	528,800.00	(5,524.00)	523,276.00	500,675.01	22,600.99	4.3%
CITY ATTORNEY	464,500.00	12,200.00	476,700.00	274,060.96	202,639.04	42.5%
FINANCE	1,293,700.00	171,800.00	1,465,500.00	1,396,345.56	69,154.44	4.7%
NON-DEPARTMENTAL	37,200.00	5,400.00	42,600.00	28,215.82	14,384.18	33.8%
HUMAN RESOURCES	334,200.00	(77,525.00)	256,675.00	242,944.75	13,730.25	5.3%
INFORMATION SYSTEMS	428,900.00	5,000.00	433,900.00	420,304.67	13,595.33	3.1%
TOTAL GENERAL GOVERNMENT	3,947,500.00	223,151.00	4,170,651.00	3,798,074.69	372,576.31	8.9%
COMMUNITY DEVELOPMENT						
PLANNING	857,300.00	(105,400.00)	751,900.00	714,712.36	37,187.64	4.9%
BUILDING SERVICES	364,200.00	69,700.00	433,900.00	543,864.75	(109,964.75)	-25.3%
CODE/PARKING COMPLIANCE	258,900.00	(22,300.00)	236,600.00	189,511.33	47,088.67	19.9%
TOTAL COMMUNITY DEVELOPMENT	1,480,400.00	(58,000.00)	1,422,400.00	1,448,088.44	(25,688.44)	-1.8%
PUBLIC SAFETY						
LAW ENFORCEMENT	4,495,600.00	-	4,495,600.00	4,474,920.89	20,679.11	0.5%
FIRE DEPARTMENT	5,272,300.00	17,100.00	5,289,400.00	5,193,065.28	96,334.72	1.8%
ANIMAL CONTROL	88,600.00	4,300.00	92,900.00	90,074.73	2,825.27	3.0%
CIVIL DEFENSE	35,000.00	21,300.00	56,300.00	54,860.74	1,439.26	2.6%
MARINE SAFETY	910,300.00	87,200.00	997,500.00	1,017,978.11	(20,478.11)	-2.1%
SHORELINE PROTECTION	1,100.00	-	1,100.00	1,000.00	100.00	9.1%
TOTAL PUBLIC SAFETY	10,802,900.00	129,900.00	10,932,800.00	10,831,899.75	100,900.25	0.9%
PUBLIC WORKS						
ENGINEERING	430,100.00	(29,200.00)	400,900.00	414,947.04	(14,047.04)	-3.5%
ENVIRONMENTAL SERVICES	436,200.00	(79,400.00)	356,800.00	314,959.25	41,840.75	11.7%
STREET MAINTENANCE	567,400.00	(96,500.00)	470,900.00	451,004.87	19,895.13	4.2%
TRAFFIC SAFETY	283,200.00	37,100.00	320,300.00	273,092.08	47,207.92	14.7%
STREET CLEANING	65,300.00	(8,300.00)	57,000.00	42,053.04	14,946.96	26.2%
PARK MAINTENANCE	426,000.00	(19,700.00)	406,300.00	352,134.33	54,165.67	13.3%
PUBLIC FACILITIES	452,800.00	(86,800.00)	366,000.00	325,886.60	40,113.40	11.0%
TOTAL PUBLIC WORKS	2,661,000.00	(282,800.00)	2,378,200.00	2,174,077.21	204,122.79	8.6%
COMMUNITY SERVICES						
COMMUNITY SERVICES	93,400.00	(4,800.00)	88,600.00	74,732.28	13,867.72	15.7%
RECREATION	617,300.00	(13,458.00)	603,842.00	564,983.01	38,858.99	6.4%
TOTAL COMMUNITY SERVICES	710,700.00	(18,258.00)	692,442.00	639,715.29	52,726.71	7.6%
TRANSFERS OUT	-	151,100.00	151,100.00	151,100.00	-	0.0%
TOTAL GENERAL FUND EXPENDITURES	19,602,500.00	145,093.00	19,747,593.00	19,042,955.38	704,637.62	3.6%

GENERAL FUND SUMMARY

NET GENERAL FUND						
Revenue Total	19,827,600.00	(61,000.00)	19,766,600.00	20,421,440.52	654,840.52	3.3%
Expense Total	19,602,500.00	145,093.00	19,747,593.00	19,042,955.38	704,637.62	3.6%
NET GENERAL FUND SURPLUS (DEFICIT)	225,100.00	(206,093.00)	19,007.00	1,378,485.14		

**GENERAL FUND
EXPENDITURES BY OBJECT
FY 2020-21**

OBJECT CODE	EXPENSE CLASSIFICATION	ADOPTED BUDGET	TRANFRS/ ADJSMTS	REVISED BUDGET	ACTUAL	VARIANCE WITH REVISED BUDGET POSITIVE (NEGATIVE)	
						\$	%
SALARIES & WAGES							
61010	REGULAR SALARIES	4,890,900.00	(51,012.66)	4,839,887.34	4,586,619.72	253,267.62	5.5%
61020	PART-TIME & TEMPS	461,700.00	86,762.66	548,462.66	615,086.00	(66,623.34)	-10.8%
61030	OVERTIME	530,500.00	1,000.00	531,500.00	772,081.67	(240,581.67)	-31.2%
61040	SPECIAL PAY	119,500.00	(4,200.00)	115,300.00	111,735.60	3,564.40	3.2%
	TOTAL SALARIES & WAGES	6,002,600.00	32,550.00	6,035,150.00	6,085,522.99	(50,372.99)	-0.8%
BENEFITS							
62050	RETIREMENT	676,400.00	5,540.00	681,940.00	616,860.53	65,079.47	10.6%
62070	RETIREMENT-UAL PAYMENT	959,300.00	13,600.00	972,900.00	934,099.53	38,800.47	4.2%
62100	MEDICARE	87,000.00	1,150.00	88,150.00	86,623.39	1,526.61	1.8%
62110	SOCIAL SECURITY	16,200.00	5,825.00	22,025.00	25,067.38	(3,042.38)	-12.1%
62200	HEALTH INSURANCE	938,800.00	25,300.00	964,100.00	903,635.90	60,464.10	6.7%
62440	LT DISABILITY INSURANCE	15,700.00	(195.00)	15,505.00	15,134.43	370.57	2.4%
62450	LIFE INSURANCE	16,600.00	105.00	16,705.00	11,734.39	4,970.61	42.4%
62480	RHSA % BENEFIT	39,900.00	(100.00)	39,800.00	34,863.54	4,936.46	14.2%
62550	2% DEFERRED COMP 457	10,600.00	1,200.00	11,800.00	12,660.69	(860.69)	-6.8%
62600	UNEMPLOYMENT INSURANCE	20,000.00	-	20,000.00	13,347.00	6,653.00	49.8%
62800	AUTO ALLOWANCE	37,200.00	100.00	37,300.00	43,409.39	(6,109.39)	-14.1%
62850	UNIFORM ALLOWANCE	2,500.00	-	2,500.00	2,500.00	-	0.0%
62950	RIDESHARE	8,000.00	-	8,000.00	2,497.14	5,502.86	220.4%
	TOTAL BENEFITS	2,828,200.00	52,525.00	2,880,725.00	2,702,433.31	178,291.69	6.6%
MATERIALS, SUPPLIES & SERVICES							
63150	TRAVEL-MEETINGS	41,000.00	(36,700.00)	4,300.00	900.96	3,399.04	377.3%
63200	TRAINING	35,000.00	(22,300.00)	12,700.00	12,320.71	379.29	3.1%
63300	MEMBERSHIPS/DUE	111,400.00	300.00	111,700.00	103,055.24	8,644.76	8.4%
63400	CLOTHING	43,700.00	(2,400.00)	41,300.00	32,442.41	8,857.59	27.3%
63410	TUITION REIMBURSEMENT	10,000.00	(5,000.00)	5,000.00	4,715.15	284.85	6.0%
63500	PRE-EMPLOYMENT	8,500.00	-	8,500.00	13,543.50	(5,043.50)	-37.2%
63510	RECRUITMENT	17,900.00	1,800.00	19,700.00	19,943.57	(243.57)	-1.2%
64130	FIRE PREVENTION PROGRAM	4,100.00	1,200.00	5,300.00	4,035.18	1,264.82	31.3%
64150	ELECTIONS	25,000.00	100,000.00	125,000.00	92,411.92	32,588.08	35.3%
64160	OFFICE SUPPLIES	8,000.00	(400.00)	7,600.00	3,711.87	3,888.13	104.7%
64170	POSTAGE	9,000.00	(1,100.00)	7,900.00	2,281.52	5,618.48	246.3%
64180	BOOKS/SUB/PRINT	29,800.00	(2,100.00)	27,700.00	18,910.81	8,789.19	46.5%
64190	MINOR EQUIPMENT	45,300.00	(1,470.00)	43,830.00	19,715.66	24,114.34	122.3%
64200	SPECIAL DEPT SUPPLIES	101,400.00	27,100.00	128,500.00	123,304.74	5,195.26	4.2%
64210	SMALL TOOLS	1,700.00	-	1,700.00	810.46	889.54	109.8%
64270	VEHICLE OPERATING SUPPLIE	48,400.00	1,800.00	50,200.00	41,060.45	9,139.55	22.3%
64280	VEHICLE MAINTENANCE	91,900.00	200.00	92,100.00	65,607.95	26,492.05	40.4%
65220	ADVERTISING	13,400.00	3,000.00	16,400.00	11,241.27	5,158.73	45.9%
65230	COMMUNICATIONS	84,300.00	26,600.00	110,900.00	104,484.85	6,415.15	6.1%
65240	UTILITIES - ELECTRIC	141,100.00	(15,100.00)	126,000.00	120,402.87	5,597.13	4.6%
65250	RENTS/LEASES	22,300.00	5,100.00	27,400.00	24,659.71	2,740.29	11.1%
65260	MAINT OF BUILDING/GROUNDS	326,800.00	79,600.00	406,400.00	353,002.52	53,397.48	15.1%
65270	UTILITIES - WATER	72,400.00	(7,100.00)	65,300.00	59,241.28	6,058.72	10.2%
65290	MILEAGE	4,000.00	(1,100.00)	2,900.00	954.17	1,945.83	203.9%
65300	PROFESSIONAL SERVICES	6,927,000.00	(88,454.00)	6,838,546.00	6,613,447.59	225,098.41	3.4%
65310	MAINTENANCE OF EQUIPMENT	133,900.00	73,500.00	207,400.00	170,868.63	36,531.37	21.4%
65320	CONTRIBUTION TO AGENCIES	85,700.00	-	85,700.00	93,348.00	(7,648.00)	-8.2%
65350	COMMUNITY TV PRODUCTION	52,200.00	(6,000.00)	46,200.00	36,424.00	9,776.00	26.8%
65380	SPECIAL EVENTS	23,400.00	(10,000.00)	13,400.00	3,964.72	9,435.28	238.0%
65390	CONTINGENCY	37,500.00	-	37,500.00	-	37,500.00	-
65700	OTHER CHARGES	199,000.00	(33,300.00)	165,700.00	134,818.34	30,881.66	22.9%
65750	PUBLIC ART EXPENDITURES	4,500.00	-	4,500.00	-	4,500.00	-
	TOTAL MATERIALS, SUPPLIES & SERVICES	8,759,600.00	87,676.00	8,847,276.00	8,285,630.05	561,645.95	6.8%
CAPTIAL, DEBT & INTERNAL SVC CHARGES							
66400	EQUIPMENT	-	7,942.00	7,942.00	7,942.07	(0.07)	0.0%
68100	TRANSFERS OUT	150,000.00	1,100.00	151,100.00	151,100.00	-	0.0%
69100	INTRNL CHRGS - CLAIMS	278,000.00	(166,500.00)	111,500.00	111,500.00	-	0.0%
69200	INTRNL CHRGS - WRKRS COMP	410,200.00	98,300.00	508,500.00	508,500.00	-	0.0%
69300	ASSET REPLACEMENT CHRGS	397,100.00	27,000.00	424,100.00	424,100.00	-	0.0%
69380	700 STEVENS	445,700.00	-	445,700.00	430,626.96	15,073.04	3.5%
69600	PARS OPEB CHARGES	331,100.00	4,500.00	335,600.00	335,600.00	-	0.0%
	TOTAL CAPTIAL, DEBT & INTERNAL SVC CHARGES	2,012,100.00	(27,658.00)	1,984,442.00	1,969,369.03	15,072.97	0.8%
TOTAL GENERALFUND EXPENDITURES		19,602,500.00	145,093.00	19,747,593.00	19,042,955.38	704,637.62	3.6%



STAFF REPORT

CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: October 27, 2021
ORIGINATING DEPT: City Manager's Department
SUBJECT: **Introduce (1st Reading) Ordinances Nos. 519 and 520 – Amending Sections 6.36.010, 6.36.040, 17.56.020 and 17.56.080 of the Solana Beach Municipal Code to Comply with State Mandated Organic Waste Disposal Requirements**

BACKGROUND:

On August 25, 2021, City Council (Council) adopted Ordinance No. 517 amending Chapter 6.20 of the Solana Beach Municipal Code (SBMC) to address state organics recycling mandates outlined in Senate Bill No. 1383 (SB 1383). SB 1383 was signed into law on September 19, 2016, to reduce organic waste disposal by 75% and increase edible food recovery by 20% in California by 2025. In addition to adopting an organics recycling ordinance, the law requires that jurisdictions adopt additional regulations and policies to create a market for recycled organics and further reduce waste headed for the landfill.

Jurisdictions were previously required to adopt a Construction Demolition Waste Diversion (C&D) Ordinance and a Model Water Efficient Landscape Ordinance (MWELO) and the City has both in place. However, SB 1383 stipulates that the currently adopted versions must comply with any new requirements outlined in SB 1383.

Staff and the City Attorney's Office reviewed Chapters 6.36 and 17.56 to ensure compliance with all SB 1383 mandates and recommend only minor adjustments in order to bring the City into compliance.

To comply with the state mandated organic waste disposal requirements, this item is before the City Council to consider introducing Ordinance 519 (Attachment 1) amending Sections 6.36.010 and 6.36.040 of the Solana Beach Municipal Code and Ordinance

CITY COUNCIL ACTION:

520 (Attachment 2) amending Sections 17.56.020 and 17.56.080 of the Solana Beach Municipal Code.

DISCUSSION:

When Council adopted Ordinance 517, the City implemented enforcement mechanisms to compel businesses and residents to recycle their organic waste. SB 1383 has additional requirements that jurisdictions need to implement as well. Staff summarized these additional requirements to Council during a presentation at the July 14, 2021 meeting. They include the following:

- Construction and Demolition (C&D) Ordinance compliance review and potential update
- Model Water Efficient Landscaping Ordinance compliance review and potential update
- Implement an Anonymous Complaint Policy – Individuals should be able to report SB 1383 violations to the Solana Beach Code Enforcement Department and remain anonymous
- Amend Solid Waste Franchise Agreement - Any requirements of SB 1383 that will be the responsibility of the City's waste hauler, must be memorialized in writing in the form of an agreement or amendment to the current franchise agreement
- Procurement Policy to encompass Organic Waste Product and Recycled-Content Paper procurement requirements
- Establish organics recycling service at City Hall and other City facilities

Ordinances 519 and 520 address the first two bullet point items.

Construction Waste Diversion

A jurisdiction is already required to adopt CALGreen Sections 4.408.1 and 5.408 in its municipal code. Projects requiring local construction permits are to divert from landfills at least 65 percent of the C&D materials generated at the project site. The SB 1383 regulations require jurisdictions to have a mechanism by which they can enforce CALGreen's 65 percent C&D debris recovery rate requirement. This ensures the maximum amount of organic waste commingled with C&D debris is recovered from building projects throughout the state.

The City implemented a construction waste diversion requirement before it was required by CALGreen. The City set a 50 percent diversion requirement which was an aggressive target at the time of adoption. Since then, CALGreen requirements increased diversion requirements to 65 percent surpassing the City's requirement. The City cannot have a less stringent restriction so Staff recommends Council adopt Ordinance 519 to amend the code to include that the diversion requirement must be in accordance with the latest revisions of the CALGreen Building Code.

Model Water Efficient Landscape Ordinance

Soil Amendment, Compost and Mulch: A Jurisdiction is already required to adopt the MWELO, Sections 492.6(a)(3)(B), (C) and (D) in its municipal code. It applies to certain landscape projects as identified in Section 490.1. The regulations require jurisdictions to have a mechanism by which to enforce the following:

1. The incorporation of soil amendments when planting;
2. The use of compost for landscape installations with a minimum of four cubic yards per 1,000 square feet and a depth of six inches; and
3. The application of a minimum three-inch layer of mulch for planting areas.

Post-Consumer Organic Mulch Products: A Jurisdiction is also already required to adopt the MWELO Section 492.6(a)(3)(G) in its municipal code. It instructs covered landscape projects to use organic mulch materials made from recycled or post-consumer goods over inorganic materials or virgin forest products. The SB 1383 regulations require that jurisdictions enforce existing requirements regarding the preferential use of recycled and post-consumer organic mulch materials. Using recycled and post-consumer compost and mulch materials may be an opportunity for the jurisdiction to help meet its SB 1383 procurement target. For example, a landscaper could act as a direct service provider and procure compost and mulch on behalf of the jurisdiction, provided all procurement requirements are met.

Reporting: In its annual report to CalRecycle, each jurisdiction must provide the number of landscaping projects subject to the MWELO, Sections 492.6(a)(3)(B), (C), (D) and (G).

Staff reviewed the City's MWELO and confirmed the provisions do comply with new SB 1383 requirements with two additions. The first is to incorporate by reference the most recent revisions of CALGreen's MWELO requirements if they are more stringent than the City's. The second is a small addition to allow an exception to the requirement for a minimum three-inch layer of mulch for planting areas of 5 percent of the landscape area if it is designated in the plan as an insect habitat. Thus, Staff recommends that Council adopt Ordinance 520 to make these amendments to the City's municipal code.

CEQA COMPLIANCE STATEMENT:

This is not a "project" as defined by the California Environmental Quality Act (CEQA) and is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR 15061(b)(3)).

FISCAL IMPACT:

There is no direct fiscal impact as a result of this item. Implementation and enforcement of Ordinance 519 and 520, if adopted, would be the responsibility of City Staff.

WORK PLAN:

This item is included in the Environmental Sustainability section of the FY 2021/2022 Work Plan.

OPTIONS:

- Introduce Ordinances 519 and 520 amending Sections 6.36.010, 6.36.040, 17.56.020 and 17.56.080 to the Solana Beach Municipal Code to address State organics recycling mandates.
- Do not introduce Ordinances 519 and 520 and provide direction.

DEPARTMENT RECOMMENDATION:

Staff recommends the City Council introduce Ordinances 519 and 520 amending Sections 6.36.010, 6.36.040, 17.56.020 and 17.56.080 to the Solana Beach Municipal Code to address State organics recycling mandates.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager

Attachments:

1. Ordinance 519
2. Ordinance 520
3. SBMC Section 6.36 and 17.56 Redline Versions

ORDINANCE 519

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AMENDING SECTIONS 6.36.010 AND 6.36.040 OF THE SOLANA BEACH MUNICIPAL CODE TO COMPLY WITH STATE MANDATED ORGANIC WASTE DISPOSAL REQUIREMENTS

WHEREAS, SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires the California Department of Resources Recycling and Recovery (CalRecycle) to develop regulations to reduce organics in landfills as a source of methane. As adopted by CalRecycle, these SB 1383 regulations (SB 1383 Regulations) place requirements on multiple entities including the City, residential households, commercial businesses and business owners, commercial edible food generators, haulers, self-haulers, food recovery organizations, and food recovery services to support achievement of statewide organic waste disposal reduction targets; and

WHEREAS, the City to adopted Ordinance 517 to enforce relevant provisions of the SB 1383 Regulations; and

WHEREAS, SB 1383 requires the City to adopt a Construction Waste Diversion ordinance in accordance with CALGreen Section 4.408.1 and 5.408 that diverts construction waste from landfills at least 65 percent of the materials generated at the project site.

NOW THEREFORE, the City Council of the City of Solana Beach does ordain as follows:

Section 1. Sections 6.36.010 and 6.36.040 of the Solana Beach Municipal Code are hereby amended as follows:

Chapter 6.36 CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING

Sections:

- 6.36.010 Definitions.
- 6.36.020 Construction and demolition debris diversion requirements.
- 6.36.030 Submission of waste management plan.
- 6.36.040 Review of waste management plan.
- 6.36.050 Compliance with waste management plan.
- 6.36.060 Exemption.
- 6.36.070 Enforcement.

6.36.010 Definitions.

For the purposes of this chapter, the following definitions shall apply:

- A. "Administrative penalty" means any penalty or fine assessed to an applicant pursuant to SBMC 6.36.070.
- B. "Applicant" means any individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private for profit or nonprofit corporation, or any other entity whatsoever who applies to the city for the applicable permits to undertake any construction, demolition, or renovation project within the city.
- C. "City-sponsored project" means any project where the improvements are or will be upon completion owned by the city.
- D. "Construction" means the building of any improvement or any portion thereof including any tenant improvements to an existing facility or structure.
- E. "Construction and demolition debris" means used or discarded materials removed from premises during construction or renovation of a structure resulting from construction, remodeling, repair, deconstruction, or demolition operations on any pavement, house, commercial building, or other structure.
- F. "Conversion rate" means the rate set forth in the standardized conversion rate table approved by the city pursuant to this chapter for use in estimating the volume or weight of materials identified in a waste management plan.
- G. "Covered project" shall have the meaning set forth in SBMC 6.36.020.
- H. "Deconstruction" means the process of carefully dismantling a building or structure in order to salvage components for reuse and recycling.
- I. "Demolition" means the decimating, razing, ruining, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior.
- J. "Divert" means to use construction or demolition debris for any purpose other than disposal in a landfill or transformation facility.
- K. "Diversion requirement" means the redirection of the minimum percentage as determined and required by California Green Building Standards Code, 24 CCR, Part 11 of the total construction and demolition debris generated by a project via reuse or recycling, unless the applicant has been granted an exemption pursuant to SBMC 6.36.060, in which case the diversion requirement shall be the maximum feasible diversion rate established by the WMP compliance official for the project.
- L. "Final building approval" means acceptance by the city that all requirements and conditions of the project have been met.
- M. "Project" means any activity which requires an application for a building or demolition permit or any similar permit from the city.

N. "Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.

O. "Remodel" means any change, addition, or modification in an existing structure.

P. "Renovation" means any change, addition, or modification in an existing structure.

Q. "Reuse" means further or repeated use of construction or demolition debris.

R. "Salvage" means the controlled removal of construction or demolition debris from a permitted building or demolition site for the purpose of recycling, reuse, or storage for later recycling or reuse.

S. "Total costs" means the total construction value of the project as calculated by the community development department using the city's standard commercial and residential valuation formulas.

T. "Waste management plan" (also referred to as "WMP") means the information required by SBMC 6.36.030, submitted by the applicant, on a city-approved form, for any covered project.

U. "WMP compliance official" is the staff person responsible for implementing this chapter. The WMP compliance official shall be the director of engineering/public works or his or her designee.

V. "WMP review fee" means the fee for processing WMP applications as adopted by the city council by resolution, if any.

W. "WMP report" means the final calculation of construction and demolition debris diversion for the project as described in SBMC 6.36.050. (Ord. 377 § 2, 2008)

6.36.040 Review of waste management plan.

A. Approval. Notwithstanding any other provision of this code, no plan check shall be approved for any covered project unless the WMP compliance official has approved the WMP. Approval shall not be required, however, where an emergency demolition, as determined by the WMP compliance official, is required to protect public health or safety. The WMP compliance official shall not approve a WMP unless it meets the following conditions:

1. Provides all of the information set forth in SBMC 6.36.030; and
2. Indicates that the minimum percentage of all C&D debris generated by the project will be diverted as determined and required by California Green Building Standards Code, 24 CCR, Part 11 as may be amended from time to time by the State.

Upon determining that the above conditions have been met, the WMP compliance official shall mark the WMP "Approved" and notify the community development department.

B. Nonapproval. If the WMP compliance official determines that the WMP is incomplete or fails to indicate that the minimum percentage as determined and required by California Green Building Standards Code, 24 CCR, Part 11 of all C&D debris generated by the project will be reused or recycled, he or she shall:

1. Contact the applicant to discuss the WMP, make recommendations for additional diversion, and obtain and note verbal confirmation from the applicant of changes to the WMP that would meet the requirements of this chapter; or
2. Return the WMP to the applicant marked "Denied," including a statement of reasons, and so notify the community development department, which shall withhold permit issuance until the WMP is resubmitted and approved; or
3. Return the WMP to the applicant marked "Further Explanation Required."

Notwithstanding any other provision of this code, the decisions of the WMP compliance official shall be final. (Ord. 377 § 2, 2008)

EFFECTIVE DATE: This Ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk of the City of Solana Beach shall proceed with publication pursuant to the provisions of Government Code §36933.

INTRODUCED AND FIRST READ at a meeting of the City Council of the City of Solana Beach, California, on the 27th day of October, 2021; and

THEREAFTER ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, on the ____ day of ____, 2021, by the following vote:

AYES: Councilmembers –
NOES: Councilmembers –
ABSTAIN: Councilmembers –
ABSENT: Councilmembers –

LESA HEEBNER, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

ORDINANCE 520

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AMENDING SECTIONS 17.56.020 and 17.56.080 OF THE SOLANA BEACH MUNICIPAL CODE TO COMPLY WITH STATE MANDATED ORGANIC WASTE DISPOSAL REQUIREMENTS

WHEREAS, SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires the California Department of Resources Recycling and Recovery (CalRecycle) to develop regulations to reduce organics in landfills as a source of methane. As adopted by CalRecycle, these SB 1383 regulations (SB 1383 Regulations) place requirements on multiple entities including the City, residential households, commercial businesses and business owners, commercial edible food generators, haulers, self-haulers, food recovery organizations, and food recovery services to support achievement of statewide organic waste disposal reduction targets; and

WHEREAS, the City adopted Ordinance 517 to enforce relevant provisions of the SB 1383 Regulations; and

WHEREAS, SB 1383 requires the City to adopt a Water Efficient Landscape ordinance in accordance with the State's Model Water Efficient Landscape Ordinance (MWELo), Sections 492.6(a)(3)(B), (C), (D) and (G) in order to comply with requirements mandated by SB 1383 including enforcement mechanisms.

NOW THEREFORE, the City Council of the City of Solana Beach does ordain as follows:

Section 1. Sections 17.56.020 and 17.56.080 of the Solana Beach Municipal Code are hereby amended as follows:

Chapter 17.56 WATER EFFICIENT LANDSCAPE REGULATIONS

17.56.020 Findings.

This chapter implements the Water Conservation in Landscaping Act. The requirements of this chapter reduce water use associated with irrigation of outdoor landscaping by setting a maximum amount of water to be applied to landscaping and by designing, installing and maintaining water efficient landscapes consistent with the water allowance. The provisions of this chapter are equivalent to or at least as effective, where deviations have been made, to the provisions of the State Model Water Efficient Landscape Ordinance and Executive Order No. B-29-15.

The requirements herein are intended to reduce water usage in Solana Beach to the

same extent as the Model Landscape Ordinance prepared by the state of California and Executive Order No. B-29-15. In implementing this law, the city shall endeavor to apply the law in a manner which will result in long-term water savings to the citizens of the state as required by law. The water savings shall be achieved through permanent landscape rules using irrigation management, greater use of drought-tolerant plantings and improved design criteria.

If, after the adoption of this ordinance, the California Department of Water Resources, or its successor agency, amends 23 CCR, Division 2, Chapter 2.7, Sections 492.6(a)(3)(B) (C), (D), and (G) of the Model Water Efficient Landscape Ordinance September 15, 2015 requirements in a manner that requires Jurisdictions to incorporate the requirements of an updated Model Water Efficient Landscape Ordinance in a local ordinance, and the amended requirements include provisions more stringent than those required in this Section, the revised requirements of 23 CCR, Division 2, Chapter 2.7 shall be enforced.

In adopting this chapter, the city council finds and determines that this chapter will be as effective as the State Model Landscape Ordinance and Executive Order No. B-29-15. (Ord. 467, 2015; Ord. 430, 2011)

17.56.080 Soils management report.

A. The soils management report required by SBMC 17.56.070 shall be prepared by a licensed landscape architect, licensed civil engineer, licensed architect, or other landscape professional licensed by the state to do this work and shall contain the following information:

1. An analysis of the soil for the proposed landscaped areas of the project that includes information about the soil texture, soil infiltration rate, pH, total soluble salts, sodium, and percent organic matter.
2. Recommendations about soil amendments that may be necessary to foster plant growth and plant survival in the landscaped area using efficient irrigation techniques.
3. In projects with multiple landscape installations (i.e., single-family subdivision), a soil sampling rate of one in seven lots or approximately 15 percent will satisfy this requirement. Large landscape projects shall sample at a rate equivalent to one in seven lots.

B. When a project involves mass grading of a site the applicant shall submit the soil management report that complies with subsection A of this section with the certificate of completion required by SBMC 17.56.230.

C. The soils management report shall comply with Sections 492.6 (a)(3)(B)(C), (D) and (G) of the Model Water Efficient Ordinance and shall include information regarding proposed soil amendments and mulch as follows:

1. The report shall identify the type and amount of mulch for each area where mulch is applied. A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces in each landscaped area except in turf areas, creeping or rooting ground covers or direct seeding applications where mulch is contraindicated. Highly flammable mulch material shall not be used. To provide habitat for beneficial insects and other wildlife up to five percent (5%) of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.
2. Compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than six percent organic matter in the top six inches of the soil are exempt from adding compost and tilling.
3. The mulching portion of seed/mulch slurry in hydro-seeded applications shall comply with subsection A of this section. (Ord. 467, 2015; Ord. 430, 2011)

EFFECTIVE DATE: This Ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk of the City of Solana Beach shall proceed with publication pursuant to the provisions of Government Code §36933.

INTRODUCED AND FIRST READ at a meeting of the City Council of the City of Solana Beach, California, on the 27th day of October, 2021; and

THEREAFTER ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, on the ____ day of ____, 2021, by the following vote:

AYES: Councilmembers –
NOES: Councilmembers –
ABSTAIN: Councilmembers –
ABSENT: Councilmembers –

LESA HEEBNER, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

Chapter 6.36

CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING

Sections:

- 6.36.010 Definitions.
- 6.36.020 Construction and demolition debris diversion requirements.
- 6.36.030 Submission of waste management plan.
- 6.36.040 Review of waste management plan.
- 6.36.050 Compliance with waste management plan.
- 6.36.060 Exemption.
- 6.36.070 Enforcement.

6.36.010 Definitions.

For the purposes of this chapter, the following definitions shall apply:

- A. "Administrative penalty" means any penalty or fine assessed to an applicant pursuant to SBMC 6.36.070.
- B. "Applicant" means any individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private for profit or nonprofit corporation, or any other entity whatsoever who applies to the city for the applicable permits to undertake any construction, demolition, or renovation project within the city.
- C. "City-sponsored project" means any project where the improvements are or will be upon completion owned by the city.
- D. "Construction" means the building of any improvement or any portion thereof including any tenant improvements to an existing facility or structure.
- E. "Construction and demolition debris" means used or discarded materials removed from premises during construction or renovation of a structure resulting from construction, remodeling, repair, deconstruction, or demolition operations on any pavement, house, commercial building, or other structure.
- F. "Conversion rate" means the rate set forth in the standardized conversion rate table approved by the city pursuant to this chapter for use in estimating the volume or weight of materials identified in a waste management plan.
- G. "Covered project" shall have the meaning set forth in SBMC 6.36.020.
- H. "Deconstruction" means the process of carefully dismantling a building or structure in order to salvage components for reuse and recycling.
- I. "Demolition" means the decimating, razing, ruining, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior.
- J. "Divert" means to use construction or demolition debris for any purpose other than disposal in a landfill or transformation facility.
- K. "Diversion requirement" means the redirection of the minimum percentage as determined and required by California Green Building Standards Code, 24 CCR, Part 11 of the total construction and demolition debris generated by a project via reuse or recycling, unless the applicant has been granted an exemption pursuant to SBMC 6.36.060, in which case the diversion requirement shall be the maximum feasible diversion rate established by the WMP compliance official for the project.
- L. "Final building approval" means acceptance by the city that all requirements and conditions of the project have been met.

Deleted: at least 50

M. "Project" means any activity which requires an application for a building or demolition permit or any similar permit from the city.

N. "Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.

O. "Remodel" means any change, addition, or modification in an existing structure.

P. "Renovation" means any change, addition, or modification in an existing structure.

Q. "Reuse" means further or repeated use of construction or demolition debris.

R. "Salvage" means the controlled removal of construction or demolition debris from a permitted building or demolition site for the purpose of recycling, reuse, or storage for later recycling or reuse.

S. "Total costs" means the total construction value of the project as calculated by the community development department using the city's standard commercial and residential valuation formulas.

T. "Waste management plan" (also referred to as "WMP") means the information required by SBMC 6.36.030, submitted by the applicant, on a city-approved form, for any covered project.

U. "WMP compliance official" is the staff person responsible for implementing this chapter. The WMP compliance official shall be the director of engineering/public works or his or her designee.

V. "WMP review fee" means the fee for processing WMP applications as adopted by the city council by resolution, if any.

W. "WMP report" means the final calculation of construction and demolition debris diversion for the project as described in SBMC 6.36.050. (Ord. 377 § 2, 2008)

6.36.020 Construction and demolition debris diversion requirements.

A "covered project" shall comply with this chapter and shall include any of the following:

A. All residential and nonresidential projects that meet the construction waste reduction requirements as set forth in the California Green Building Code, as adopted in SBMC 15.23.010;

B. All construction, renovation, and remodel projects within the city, including city-sponsored projects, with a total project value equal to or greater than \$100,000, as calculated for purposes of receiving a city building permit; and

C. All demolition projects.

Failure to comply with any of the terms of this chapter shall subject the project applicant to the full range of penalty and enforcement mechanisms of this chapter. Compliance with the provisions of this chapter shall be a condition of approval on any building or demolition permit issued for a covered project. Failure to include such a condition shall not relieve the project applicant from complying with this chapter. (Ord. 463 § 2, 2015; Ord. 377 § 2, 2008)

6.36.030 Submission of waste management plan.

A. WMP Forms. Applicants for a plan check involving any covered project shall complete and submit a waste management plan on a city-approved form and pay a WMP review fee, if any, before a building or demolition permit may be issued. The WMP shall be submitted for review with the first plan check of an individual project or at the first check of a residential master plan in the case of a residential project. The completed WMP shall indicate all of the following:

1. Estimated weight of C&D debris, by materials type, to be generated;
2. Maximum weight of such materials that can feasibly be diverted via reuse or recycling;

3. Vendor or facility that the applicant proposes to use to collect or receive that material;
4. Estimated weight of C&D materials that will be landfilled; and
5. Total square footage of the project.

B. Calculating Weight of Debris. In estimating the weight of materials identified in the WMP, the applicant shall use the standardized conversion rates approved by the WMP compliance official.

C. Deconstruction. In preparing the WMP, applicants for a plan check involving the removal of all or part of an existing structure shall consider deconstruction, to the maximum extent feasible, and shall make the materials generated thereby available for salvage prior to sending to a landfill. (Ord. 377 § 2, 2008)

6.36.040 Review of waste management plan.

A. Approval. Notwithstanding any other provision of this code, no plan check shall be approved for any covered project unless the WMP compliance official has approved the WMP. Approval shall not be required, however, where an emergency demolition, as determined by the WMP compliance official, is required to protect public health or safety. The WMP compliance official shall not approve a WMP unless it meets the following conditions:

1. Provides all of the information set forth in SBMC 6.36.030; and
2. Indicates that ~~the minimum percentage~~ of all C&D debris generated by the project will be diverted ~~as determined and required by California Green Building Standards Code, 24 CCR, Part 11 as may be amended from time to time by the State.~~ **Deleted:** at least 50 percent

Upon determining that the above conditions have been met, the WMP compliance official shall mark the WMP “Approved” and notify the community development department.

- B. Nonapproval. If the WMP compliance official determines that the WMP is incomplete or fails to indicate that ~~the minimum percentage as determined and required by California Green Building Standards Code, 24 CCR, Part 11 of all C&D debris generated by the project will be reused or recycled, he or she shall:~~ **Deleted:** at least 50 percent

1. Contact the applicant to discuss the WMP, make recommendations for additional diversion, and obtain and note verbal confirmation from the applicant of changes to the WMP that would meet the requirements of this chapter; or
2. Return the WMP to the applicant marked “Denied,” including a statement of reasons, and so notify the community development department, which shall withhold permit issuance until the WMP is resubmitted and approved; or
3. Return the WMP to the applicant marked “Further Explanation Required.”

Notwithstanding any other provision of this code, the decisions of the WMP compliance official shall be final. (Ord. 377 § 2, 2008)

6.36.050 Compliance with waste management plan.

A. Documentation. Prior to final building approval, the applicant shall submit to the WMP compliance official documentation that the diversion requirement for the project has been met. If the applicant does not submit the required documentation, he or she may be subject to an administrative penalty and/or enforcement action pursuant to SBMC 6.36.070. The documentation for compliance shall include the following:

1. Copies of receipts from the vendor or facility that collected or received each material, showing the actual weight of that material.
2. A copy of the approved WMP for the project adding the actual weight of each material diverted and landfilled.

B. Weighing of Wastes. Applicants shall make reasonable efforts to ensure that all C&D debris diverted or landfilled is measured and recorded using the most accurate method of measurement available. To the extent practical, all C&D debris shall be weighed by measurement on scales. Such scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For C&D debris for which weighing is not practical due to small size or other considerations, a volumetric measurement shall be used. For conversion of volumetric measurements to weight, the applicant shall use the standardized conversion rates.

C. Determination of Compliance and Assessment of an Administrative Penalty.

1. Full Compliance. If the WMP compliance official determines that the applicant has fully complied with the diversion requirement for the project, he or she shall approve the final WMP report.
2. Good Faith Effort to Comply. If the WMP compliance official determines that the diversion requirement has not been achieved, he or she shall determine on a case-by-case basis whether the applicant has made a good faith effort to comply. The WMP compliance official shall consider the availability of markets for the C&D debris landfilled, the size of the project, and the documented efforts of the applicant to divert C&D debris. If the WMP compliance official determines that the applicant has made a good faith effort to comply with this chapter, he or she may approve the final WMP report or assess an administrative penalty. Any penalty assessed must be paid to the city prior to final building approval.
3. Noncompliance. If the WMP compliance official determines that the applicant has not made a good faith effort to comply with the diversion requirement applicable to the project, or if the applicant fails to submit the documentation required by subsection A of this section, then the applicant shall be subject to the enforcement provisions of SBMC 6.36.070. Any penalty assessed must be paid to the city prior to final building approval.
4. Noncompliance Notification and Appeal. Upon a determination of noncompliance, the WMP compliance official shall notify the applicant of the WMP report findings. The notice shall be in writing and shall identify the specific area(s) of noncompliance with the WMP and inform the applicant that it has a right to a hearing to appeal the determination. The request for a hearing must be made in writing and received by the WMP compliance official no later than the city's close of business on the seventh calendar day from the mailing date (as determined by postmark) of the noncompliance notice. The hearing shall be held no earlier than 10 calendar days and no later than 30 calendar days following the receipt of the written request for hearing. The city manager or his or her designee shall serve as the hearing officer. The applicant shall be permitted to submit evidence. The rules of evidence shall not apply. The hearing officer may consider any relevant evidence. The applicant shall not be entitled to cross-examine any witnesses. The applicant shall be notified in writing of the decision of the hearing officer. Notwithstanding any other provision of this code, the decision of the hearing officer shall be final. If the hearing officer determines that the applicant has not made a good faith effort to comply with the diversion requirement applicable to the project, or has failed to submit the documentation required by subsection A of this section, then the applicant shall be subject to the enforcement provisions of SBMC 6.36.070. Any penalty assessed must be paid to the city prior to final building approval. (Ord. 377 § 2, 2008)

6.36.060 Exemption.

- A. Application. If unique circumstances make it infeasible for an applicant for a covered project to comply with the diversion requirement, the applicant may apply for an exemption at the time that he or she submits the required WMP. The applicant shall indicate on the WMP the maximum rate of diversion he or she believes is feasible for each material and the specific unique circumstances that make it infeasible to comply with the diversion requirement.
- B. Meeting with WMP Compliance Official. The WMP compliance official shall review the information supplied by the applicant and may meet with the applicant to discuss possible ways of meeting the diversion requirement.
- C. Granting of Exemption. The WMP compliance official shall not issue an infeasibility exemption unless he or she can make at least one of the following findings:

1. That circumstances exist that are unique to the project to the effect that compliance with the provisions of this chapter would create an unusual burden on the project that is different than that of similarly situated properties.
2. That for a specific project compliance with this chapter would result in minimal or no increase in recycled materials or reduction in waste stream.
3. That diversion of one or more substances involved in the project presents unique and burdensome obstacles and would create an especially onerous economic burden on the project unless diversion of that substance is reduced or eliminated.

If the WMP compliance official is able to make one or more of the above findings for a project, he or she may excuse the project from compliance with this chapter or determine the maximum feasible reduced diversion rate for each material and shall indicate this rate on the WMP submitted by the applicant. The WMP compliance official shall return a copy of the WMP to the applicant marked "Approved for Exemption" and shall notify the community development department.

D. Denial of Exemption. If the WMP compliance official is unable to make any of the findings required by subsection C of this section, the applicant shall be informed in writing. The applicant shall have 30 days to resubmit a WMP form in full compliance with SBMC 6.36.030. If the applicant fails to resubmit the WMP, or if the resubmitted WMP does not comply with SBMC 6.36.030, the WMP compliance official shall deny the WMP in accordance with SBMC 6.36.050. Notwithstanding any other provision of this code, the determination of the WMP compliance officer shall be final. (Ord. 377 § 2, 2008)

6.36.070 Enforcement.

A. Criminal Action. Any applicant who violates or fails to comply with any provision of this chapter shall be guilty of a misdemeanor. However, any such violation constituting a misdemeanor may, in the discretion of the attorney having prosecutorial functions, be charged and prosecuted as an infraction.

B. Civil Action. The city may redress a violation of, or failure to comply with, any provision of this chapter by civil action, in addition or as an alternative to criminal enforcement. If the city shall prevail in any such civil action, it shall be entitled to attorney fees.

C. Administrative Penalty. Any applicant who violates or fails to comply with any provision of this chapter may also be assessed an administrative penalty. The amount of the penalty may be up to \$1,000. The WMP compliance official upon determining noncompliance with this chapter shall notify the applicant of the penalty assessed against it. The notice shall be in writing and shall identify the specific noncompliance, the amount of the penalty assessed, and inform the applicant that it has a right to a hearing to appeal the validity or amount of the penalty. The request for a hearing must be made in writing and received by the WMP compliance official no later than the city's close of business on the seventh calendar day from the mailing date (as determined by postmark) of the penalty notice. The hearing shall be held no later than 10 days following the receipt by the WMP compliance official of the written request for hearing. The city manager or his or her designee shall serve as the hearing officer. The applicant shall be notified in writing of the decision of the hearing officer. Notwithstanding any other provision of this code, the decision of the hearing officer shall be final. Any penalty assessed must be paid to the city prior to final building approval. Nothing in this chapter precludes the use of any other type of enforcement if administrative fines are imposed under this section. (Ord. 377 § 2, 2008)

Chapter 17.56

WATER EFFICIENT LANDSCAPE REGULATIONS¹

Sections:

- 17.56.010 Purpose.
- 17.56.020 Findings.
- 17.56.030 Definitions.
- 17.56.040 Applicability.
- 17.56.050 Landscape approval.
- 17.56.060 Administration and landscape manual.
- 17.56.070 Landscape documentation package.
- 17.56.080 Soils management report.
- 17.56.090 Planting and irrigation plans.
- 17.56.100 Water conservation plan.
- 17.56.110 Grading design plan.
- 17.56.120 Irrigation schedule.
- 17.56.130 Maximum applied water allowance (MAWA).
- 17.56.140 Estimated total water use (ETWU).
- 17.56.150 Adjustment to landscaped area for non-vegetated area.
- 17.56.160 New single-family residential projects with limited landscaping.
- 17.56.170 Cemeteries.
- 17.56.180 Regulations applicable to use of turf.
- 17.56.190 Projects with model homes.
- 17.56.200 Recycled water.
- 17.56.210 Landscaping and irrigation installation.
- 17.56.220 Landscaping and irrigation maintenance.
- 17.56.230 Certificate of completion.
- 17.56.240 Water waste prevention.
- 17.56.250 Irrigation audit.
- 17.56.260 Violations.
- 17.56.270 Enforcement.
- 17.56.280 Fees.

17.56.010 Purpose.

The State Legislature determined in the Water Conservation in Landscaping Act (the "Act"), Government Code Sections 65591 et seq., that the state's water resources are in limited supply. The Legislature also recognized that while landscaping is essential to the quality of life in California, landscape design, installation, maintenance and management must be water efficient. The general purpose of this chapter is to establish water use standards for landscaping in the city that implement the 2006 development landscape design requirements established by the Act and amended by Executive Order No. B-29-15. Consistent with the Legislature's findings, the purpose of this chapter is to:

- A. Promote the values and benefits of landscaping practices that integrate and go beyond the conservation and efficient use of water.
- B. Establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects by encouraging the use of a watershed approach that requires cross-sector collaboration of industry, government and property owners to achieve the many benefits possible.
- C. Promote the use, when available, of tertiary treated recycled water, for irrigating landscaping.
- D. Use water efficiently without waste by setting a maximum applied water allowance (MAWA) as an upper limit for water use and reduce water use for landscaping to the lowest practical amount.

E. Encourage water users of existing landscapes to use water efficiently and without waste.

F. Landscapes that are planned, designed, installed, managed and maintained with the watershed based approach can improve California's environmental conditions and provide benefits and realize sustainability goals. Such landscapes will make the urban environment resilient in the face of climatic extremes. Consistent with the legislative findings and purpose of the Ordinance, conditions in the urban setting will be improved by:

1. Creating the conditions to support life in the soil by reducing compaction, incorporating organic matter that increases water retention, and promoting productive plant growth that leads to more carbon storage, oxygen production, shade, habitat and aesthetic benefits.
2. Minimizing energy use by reducing irrigation water requirements, reducing reliance on petroleum based fertilizers and pesticides, and planting climate appropriate shade trees in urban areas.
3. Conserving water by capturing and reusing rainwater and graywater wherever possible and selecting climate appropriate plants that need minimal supplemental water after establishment.
4. Protecting air and water quality by reducing power equipment use and landfill disposal trips, selecting recycled and locally sourced materials, and using compost, mulch and efficient irrigation equipment to prevent erosion.
5. Protecting existing habitat and creating new habitat by choosing local native plants, climate adapted non-natives and avoiding invasive plants. Utilizing integrated pest management with least toxic methods as the first course of action. (Ord. 467, 2015; Ord. 430, 2011)

17.56.020 Findings.

This chapter implements the Water Conservation in Landscaping Act. The requirements of this chapter reduce water use associated with irrigation of outdoor landscaping by setting a maximum amount of water to be applied to landscaping and by designing, installing and maintaining water efficient landscapes consistent with the water allowance. The provisions of this chapter are equivalent to or at least as effective, where deviations have been made, to the provisions of the State Model Water Efficient Landscape Ordinance and Executive Order No. B-29-15.

The requirements herein are intended to reduce water usage in Solana Beach to the same extent as the Model Landscape Ordinance prepared by the state of California and Executive Order No. B-29-15. In implementing this law, the city shall endeavor to apply the law in a manner which will result in long-term water savings to the citizens of the state as required by law. The water savings shall be achieved through permanent landscape rules using irrigation management, greater use of drought-tolerant plantings and improved design criteria.

If, after the adoption of this ordinance, the California Department of Water Resources, or its successor agency, amends 23 CCR, Division 2, Chapter 2.7, Sections 492.6(a)(3)(B) (C), (D), and (G) of the Model Water Efficient Landscape Ordinance September 15, 2015 requirements in a manner that requires Jurisdictions to incorporate the requirements of an updated Model Water Efficient Landscape Ordinance in a local ordinance, and the amended requirements include provisions more stringent than those required in this Section, the revised requirements of 23 CCR, Division 2, Chapter 2.7 shall be enforced.

In adopting this chapter, the city council finds and determines that this chapter will be as effective as the State Model Landscape Ordinance and Executive Order No. B-29-15. (Ord. 467, 2015; Ord. 430, 2011)

17.56.030 Definitions.

The following definitions shall apply to this chapter:

- A. "Automatic irrigation controller" means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers are able to self-adjust and shall schedule irrigation events using either evapotranspiration (ETo) (weather-based) or moisture sensor data.
- B. "Building permit" means a permit to engage in a certain type of construction on a specific location.

C. "Certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other accredited certification program.

D. "Compost" means the safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.

E. "Developer" means a person who seeks or receives permits for or who undertakes land development activities, who is not a single-family homeowner. "Developer" includes a developer's partner, associate, employee, consultant, trustee or agent.

F. "Director" means the community development director or anyone who the director has designated or hired to administer or enforce this chapter.

G. "Discretionary permit" means any permit requiring a decision making body to exercise judgment prior to its approval, conditional approval or denial.

H. "Distribution uniformity" means the measure of the uniformity of irrigation water over a defined area.

I. "Estimated total water use" (ETWU) means the estimated total water use in gallons per year for a landscaped area.

J. "ET adjustment factor" (ETAF) means a factor of 0.55 for residential areas and 0.45 for non-residential areas, that, when applied to reference ETo, adjusts for plant water requirements and irrigation efficiency, two major influences on the amount of water that is required for a healthy landscape. The ETAF for a new and existing (non-rehabilitated) special landscape area shall be 1 minus the factor.

K. "Evapotranspiration" (ETo) means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time period. "Reference evapotranspiration" means a standard measurement of environmental parameters which affect the water use of plants. ETo is given in inches per day, month, or year and is an estimate of the ETo of a large field of four inches to seven inches tall, cool season turf that is well watered. Reference ETo is used as the basis of determining the MAWA so that regional differences in climate can be accommodated.

L. "Flow sensor" means an inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation controller, or flow monitor capable of receiving flow signals and operating master valves. This combination flow sensor/controller may also function as a landscape water meter or sub-meter.

M. "Friable" means a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.

N. "Fuel modification plan guideline" means guidelines from a local fire authority to assist residents and businesses that are developing land or building structures in a fire hazard severity zone.

O. "Graywater" means untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers (Health and Safety Code Section 17922.12).

P. "Hardscape" means any durable surface material, pervious or nonpervious.

Q. "Hydro-zone" means a portion of the landscape area having plants with similar water needs and rooting depth. A hydro-zone may be irrigated or non-irrigated.

R. "Invasive species" means species of plants not historically found in California that spread outside cultivated areas and may damage environmental or economic resources. Invasive species may be regulated by county agricultural

agencies as noxious species. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.

S. "Irrigation audit" means an inspection which includes an in depth evaluation of the performance of an irrigation system conducted by a certified landscape irrigation auditor. An irrigation audit may include, but is not limited to, inspection, system tune up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow and preparation of an irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association's Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency "Watersense" labeled auditing program.

T. "Irrigation efficiency" means the measurement of the amount of water beneficially used divided by the water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiency factors are 0.55 for overhead spray devices, 0.75 for MP rotators, 0.70 for rotors, 0.75 for bubblers, and 0.81 for drip systems.

U. "Landscaped area" means an area with outdoor plants, turf and other vegetation. A landscaped area includes a water feature either in an area with vegetation or that stands alone. A landscaped area may also include design features adjacent to an area with vegetation when allowed under SBMC 17.56.150. A landscaped area does not include the footprint of a building, decks, patio, sidewalk, driveway, parking lot or other hardscape that does not meet the criteria in SBMC 17.56.150. A landscaped area also does not include an area without irrigation designated for nondevelopment such as designated open space or area with existing native vegetation.

V. "Landscape design manual" means the manual approved by city that establishes specific design criteria and guidance to implement the requirements of this chapter.

W. "Landscape water meter" means an inline device installed at the irrigation supply point that measures the flow of water into the irrigation system and is connected to a totalizer to record water use.

X. "Licensed" means licensed by the state of California.

Y. "Low head drainage" means a sprinkler head or other irrigation device that continues to emit water after the water to the zone in which the device is located has shut off.

Z. "Low volume irrigation" means the application of irrigation water at low pressure through a system of tubing or lateral lines and low volume emitters such as drip lines or bubblers.

AA. "Master shut-off valve" is an automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system. A master valve will greatly reduce any water loss due to a leaky station valve.

BB. "Maximum applied water allowance" (MAWA) means the maximum allowed annual water use for a specific landscaped area based on the square footage of the area, the ETAF and the reference ETo.

CC. "Mulch" means an organic material such as leaves, bark, straw or inorganic mineral materials such as rocks, gravel or decomposed granite left loose and applied to the soil surface to reduce evaporation, suppress weeds, moderate soil temperature or prevent soil erosion.

DD. "Non-residential landscape" means landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas.

EE. "Overspray" means the water from irrigation that is delivered outside an area targeted for the irrigation and makes contact with a surface not intended to be irrigated.

FF. "Pervious" means any surface or material that allows the passage of water through the material and into underlying soil.

GG. "Plant factor" means a factor that, when multiplied by the ETo, estimates the amount of water a plant needs. For purposes of this chapter, the following plant factors shall apply: very low water use plants – 0.1; low water use plants – 0.3; moderate water use plants – 0.6; high water use plants – 1.0.

HH. "Public water purveyor" means a public utility, municipal water district, municipal irrigation district or municipality that delivers water to customers.

II. "Recycled water" means wastewater that has been treated at the highest level required by the California Department of Health Services for water not intended for human consumption. "Tertiary treated recycled water" means water that has been through three levels of treatment including filtration and disinfection.

JJ. "Runoff" means water that is not absorbed by the soil or landscape to which it is applied and flows from the landscaped area.

KK. "Special landscaped area" means an area of the landscape dedicated to edible plants, recreational areas, an area irrigated with recycled water, or water features using recycled water.

LL "Sub-meter" means a metering device to measure water applied to the landscape that is installed after the primary utility water meter.

MM. "Subsurface irrigation" means an irrigation device with a delivery line and water emitters installed below the soil surface that slowly and frequently emit small amounts of water into the soil to irrigate plant roots.

NN. "Transitional area" means a portion of a landscaped area that is adjacent to a natural or undisturbed area and is designated to ensure that the natural area remains unaffected by plantings and irrigation installed on the property.

OO. "Turf" means a ground cover surface of mowed grass.

PP. "Water feature" means a design element where open water performs an aesthetic or recreational function. A water feature includes a pond, lake, waterfall, fountain, artificial streams, spa and swimming pool. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices are not water features.

QQ. "WUCOLS" means the Water Use Classification of Landscape Species published by the University of California Cooperative Extension and the Department of Water Resources 2014. (Ord. 467, 2015; Ord. 430, 2011)

17.56.040 Applicability.

A. After December 1, 2015, and consistent with Executive Order No. B-29-15, this chapter shall apply to the following projects:

1. New development projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building permit, plan check or development review;
2. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building permit, plan check, or development review;
3. A cemetery under limited requirements in SBMC 17.56.170.

B. For projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 2,500 square feet of landscape and meets the lot or parcel's landscape water requirement (estimated total water use) entirely with treated or untreated graywater or through stored rainwater will not be required to provide irrigation audits per SBMC 17.56.250.

C. This chapter shall not apply to the following:

1. A registered local, state or federal historical site.
2. An ecological restoration project that does not require a permanent irrigation system.

3. A mined land reclamation project that does not require a permanent irrigation system.

4. Existing plant collections, as part of a botanical garden or arboretum, open to the public. (Ord. 467, 2015; Ord. 430, 2011)

17.56.050 Landscape approval.

A. No person shall install landscaping for a project subject to this chapter without the review and approval required by this chapter.

B. A person constructing a project subject to the requirements of this chapter shall obtain approval for the landscaped area as follows:

1. A person applying for a building permit for a single-family residence shall obtain an approval of the landscaping from the city as part of the permitting process.

2. A person applying for a discretionary permit described in SBMC 17.56.040:

a. Shall submit a landscape concept plan as required by the discretionary permit application. The concept plan shall include representation of the site features, proposed planting plan areas and a water conservation plan. The planting plan shall indicate the species (common and botanical plant name) and location of all existing and proposed plantings, installation size, height at maturity, and WUCOLS value for each plant used. The water conservation plan shall on a graphic plan define hydro-zones for all planting areas, with an indication of the type of irrigation to be used by hydro-zone. An estimated water use calculation shall be prepared using the city's standard form.

b. Shall obtain approval for landscaping as part of the permitting process for each building permit for each project.

c. May use "typical" plans for developer-installed landscaping for single-family homes. (Ord. 467, 2015; Ord. 430, 2011)

17.56.060 Administration and landscape manual.

A. The director shall administer and enforce this chapter and shall have the authority to develop a landscape manual that provides development standards and design guidelines. (Ord. 467, 2015; Ord. 430, 2011)

17.56.070 Landscape documentation package.

A. Except as provided in subsection B of this section building permit applications for projects subject to SBMC 17.56.040 shall include a landscape documentation package that complies with the provisions of this chapter and with the landscape design manual.

B. An applicant for a building permit for a single-family residence with a landscaped area less than 500 square feet is not required to submit a landscape documentation package with the permit application, but shall comply with SBMC 17.56.160. An applicant for a permit for a cemetery is not required to submit a landscape documentation package, but shall comply with SBMC 17.56.170.

C. The landscape documentation package required by subsection A of this section shall contain the following:

1. A soil management report and plan that complies with SBMC 17.56.080 that analyzes the soil within each landscaped area of the project and makes recommendations regarding soil additives.

2. Planting and irrigation plans that comply with SBMC 17.56.090 that describe the landscaping and irrigation for the project.

3. A water conservation plan that complies with SBMC 17.56.100 that calculates the MAWA and the ETWU for the project using the city's standard form.

4. A grading design plan that complies with SBMC 17.56.110 that describes the grading of the project. If the project applicant has submitted a grading plan with the application for the project, the director may accept that

grading plan in lieu of the grading design plan required by this subsection if the grading plan complies with SBMC 17.56.110. (Ord. 467, 2015; Ord. 430, 2011)

17.56.080 Soils management report.

A. The soils management report required by SBMC 17.56.070 shall be prepared by a licensed landscape architect, licensed civil engineer, licensed architect, or other landscape professional licensed by the state to do this work and shall contain the following information:

1. An analysis of the soil for the proposed landscaped areas of the project that includes information about the soil texture, soil infiltration rate, pH, total soluble salts, sodium, and percent organic matter.
2. Recommendations about soil amendments that may be necessary to foster plant growth and plant survival in the landscaped area using efficient irrigation techniques.
3. In projects with multiple landscape installations (i.e., single-family subdivision), a soil sampling rate of one in seven lots or approximately 15 percent will satisfy this requirement. Large landscape projects shall sample at a rate equivalent to one in seven lots.

B. When a project involves mass grading of a site the applicant shall submit the soil management report that complies with subsection A of this section with the certificate of completion required by SBMC 17.56.230.

C. The soils management report shall comply with Sections 492.6 (a)(3)(B)(C), (D) and (G) of the Model Water Efficient Ordinance and shall include information regarding proposed soil amendments and mulch as follows:

1. The report shall identify the type and amount of mulch for each area where mulch is applied. A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces in each landscaped area except in turf areas, creeping or rooting ground covers or direct seeding applications where mulch is contraindicated. Highly flammable mulch material shall not be used. To provide habitat for beneficial insects and other wildlife up to five percent (5%) of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.
2. Compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than six percent organic matter in the top six inches of the soil are exempt from adding compost and tilling.
3. The mulching portion of seed/mulch slurry in hydro-seeded applications shall comply with subsection A of this section. (Ord. 467, 2015; Ord. 430, 2011)

Deleted.

17.56.090 Planting and irrigation plans.

A. The planting and irrigation plans required by SBMC 17.56.070 shall be prepared by a licensed landscape architect, licensed civil engineer, licensed architect, or other landscape professional licensed by the state to do this work. The plans shall:

1. Include the MAWA for the plans, including the calculations used to determine the MAWA. The calculations shall be based on the formula in SBMC 17.56.130.
2. Include the ETWU for the plans, including the calculations used to determine the ETWU. The calculations shall be based on the formula in SBMC 17.56.140.
3. Include a statement signed under penalty of perjury by the person who prepared the plan that provides:

I am familiar with the requirements for landscape and irrigation plans contained in the City's Water Efficient Landscape Regulations. I have prepared this plan in compliance with those regulations and the Landscape Design Manual. I certify that the plan implements those regulations to provide efficient use of water.

4. Demonstrate compliance with best management practices required by Chapter 13.10 SBMC.

5. Address fire safety issues and demonstrate compliance with applicable requirements for defensible space around buildings and structures and shall avoid the use of fire prone vegetation.

B. The planting plan shall meet the following requirements:

1. The plan shall include a list of all vegetation, by common and botanical plant name, which exists in the proposed landscaped area. The plan shall state what vegetation will be retained and what will be removed.
2. The plan shall include a list of all vegetation, by common and botanical plant name, which will be added to each landscaped area. Invasive plant species shall be highly discouraged. It shall indicate the species and location of all proposed plantings, installation size, height at maturity, and WUCOLS value for each plant used. The plan shall include the total quantities by container size and species. If the applicant intends to plant seeds, the plan shall describe the seed mixes and applicable purity and germination specifications. Any invasive plant species listed on the invasive plant species list found in the landscape manual for Solana Beach is prohibited, except where noted on the list.
3. The plan shall include a detailed description of each water feature that will be included in the landscaped area.
4. The plan shall delineate and provide detailed descriptions of all paths, walkways, hardscape areas, decks, and overhead structures.
5. All plants shall be grouped in hydro-zones and the irrigation shall be designed to deliver water to hydro-zones based on the moisture requirements of the plant grouping. A hydro-zone may mix plants of moderate and low water use or mix plants of high water use with plants of moderate water use. No high water use plants shall be allowed in a low water use hydro-zone. The plan shall also demonstrate how the plant groupings accomplish the most efficient use of water.
6. The plan shall identify areas permanently and solely dedicated to edible plants.
7. The plan shall avoid the use of landscaping with known surface root problems adjacent to a paved area, unless the plan provides for installation of root control barriers or other appropriate devices to control surface roots.
8. Plants in a transitional area shall consist of a combination of site adaptive and compatible native and/or nonnative species. Invasive species are highly discouraged from being introduced or tolerated in a transitional area. The irrigation in a transitional area shall be designed so that no overspray or runoff shall enter an adjacent area that is not irrigated. Any invasive plant species listed on the invasive plant species list found in the landscape manual for Solana Beach is prohibited, except where noted on the list.
9. On a project other than a single-family residence, the plan shall identify passive and active recreational areas.
10. Reinforced straw matting shall be applied on all slopes.

C. The irrigation plan shall meet the following requirements:

1. The plan shall show the location, type and size of all components of the irrigation system that will provide water to the landscaped area, including the controller, water lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices.
2. A separate water meter or sub-meter for landscape irrigation shall be installed for all projects with an aggregate landscape area of 1,000 square feet or greater, with the exception of single-family residential projects.
3. Rain sensors, either integral or auxiliary, shall be installed on all irrigation systems.
4. Flow sensors that detect high-flow conditions created by system damage or malfunction shall be installed with a master valve shut off on all projects, with the exception of single-family residential projects.

5. Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface.
6. Narrow or irregularly shaped areas, less than 10 feet in width in any direction, shall be irrigated with subsurface irrigation.
7. Overhead irrigation shall not be permitted in any area with a grade less steep than 4:1 except turf areas and bio-retention areas.
8. Overhead irrigation shall be prohibited between the hours of 10:00 a.m. and 8:00 p.m.
9. The plan shall show the static water pressure at the point of connection to the public water supply and the flow rate in gallons, the application rate in inches per hour and the design operating pressure in pressure per square inch for each station.
10. The irrigation system shall be designed to prevent runoff, overspray, low head drainage and other similar conditions where irrigation water flows or sprays onto areas not intended for irrigation. The plan shall also demonstrate how grading and drainage techniques promote healthy plant growth and prevent erosion and runoff.
11. The plan shall identify each area irrigated with recycled water.
12. The plan shall provide that any slope greater than 25 percent will be irrigated with an irrigation system with a precipitation rate of 0.75 inches per hour or less to prevent runoff and erosion. As used in this chapter, 25 percent grade means one foot of vertical elevation change for every four feet of horizontal length. An applicant may employ an alternative design if the plan demonstrates that no runoff or erosion will occur.
13. The plan shall provide that all wiring and piping under a paved area that a vehicle may use, such as a parking area, driveway or roadway, will be installed inside a PVC conduit.
14. The plan shall provide that irrigation piping and irrigation devices that deliver water, such as sprinkler heads, shall be installed below grade if they are within 24 inches of a vehicle or pedestrian use area. The director may allow on-grade piping where landform constraints make below grade piping infeasible.
15. The irrigation system shall provide for the installation of a manual shutoff valve as close as possible to the water supply. Additional manual shutoff valves shall be installed between each zone of the irrigation system and the water supply.
16. The irrigation system shall provide that irrigation for any landscaped area will be regulated by an automatic irrigation controller.
17. The irrigation system shall be designed with a landscape irrigation efficiency necessary to meet the MAWA.
18. The plan shall describe each automatic irrigation controller the system uses to regulate the irrigation schedule and whether it is a weather-based system or moisture detection system. The plan shall depict the location of electrical service for the automatic irrigation controller or describe the use of batteries or solar power that will power valves or a smart controller. (Ord. 467, 2015; Ord. 430, 2011)

17.56.100 Water conservation plan.

The water efficient landscape worksheet required by SBMC 17.56.070 shall be prepared by a licensed landscape architect, licensed civil engineer, licensed architect, or other landscape professional licensed by the state to do this work and shall contain the following:

- A. Information on the plant factor, irrigation method, irrigation efficiency, and area associated with each hydro-zone. Calculations shall be made to show that the evapotranspiration adjustment factor (ETAF) for the landscape project does not exceed a factor of 0.55 for residential areas and 0.45 for non-residential areas, exclusive of special landscape areas. The ETAF for a landscape project is based on the plant factors and irrigation methods selected. The maximum applied water allowance is calculated based on the maximum ETAF allowed (0.55 for residential areas

and 0.45 for non-residential areas) and expressed as annual gallons required. The estimated total water use (ETWU) is calculated based on the plants used and irrigation method selected for the landscape design. ETWU must be below the MAWA.

B. Water budget calculations, which shall meet the following requirements:

1. The calculations for the ETWU and MAWA shall be prepared and submitted on the city's standard form.
2. A plan graphic shall be provided defining all hydro-zones and numbered to correspond to the hydro-zones on the ETWU calculation form.
3. The plant factor used shall be identified for each plant species used in the planting plan and shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). The plant factor is 0.1 for very low water use plants, 0.3 for low water use plants, 0.6 for moderate water use plants and 1.0 for high water use plants. A plan that mixes plants in a hydro-zone that require a different amount of water shall use the plant factor for the highest water using plant in the hydro-zone.
4. Temporarily irrigated areas shall be included in the low water use hydro-zone. Temporarily irrigated as used in this chapter means the period of time when plantings only receive water until they become established.
5. The surface area of a water feature, including swimming pools, shall be included in a high water use hydro-zone.
6. The calculations shall use the formula for the MAWA in SBMC 17.56.130 and for the ETWU in SBMC 17.56.140.
7. Each special landscaped area shall be identified on the worksheet and the area's water use calculated using an ETAF not to exceed 1.0. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.110)

17.56.110 Grading design plan.

The grading design plan required by SBMC 17.56.070 shall be prepared by a California licensed civil engineer, licensed landscape architect, licensed architect, or other landscape professional licensed by the state to do this work and shall comply with the following requirements:

- A. The grading on the project site shall be designed for the efficient use of water by minimizing soil erosion, runoff and water waste resulting from precipitation and irrigation.
- B. The plan shall show the finished configurations and elevations of each landscaped area including the height of graded slopes, the drainage pattern, pad elevations, finish grade and any stormwater retention improvements. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.111)

17.56.120 Irrigation schedule.

The irrigation schedule required by SBMC 17.56.070 and 17.56.090 shall be prepared by a licensed landscape architect, licensed civil engineer, licensed architect, or other landscape professional licensed by the state to do this work and provide the following information:

- A. A description of the automatic irrigation system that will be used for the project.
- B. The ETo data relied on to develop the irrigation schedule, including the source of the data.
- C. The time period when overhead irrigation will be scheduled shall conform with the applicable Drought Response Policies and Procedures of the Santa Fe Irrigation District which may vary according to the current drought response level being enforced.
- D. The parameters used for setting the irrigation system controller for watering times for:
 1. The plant establishment period.

2. Established landscaping.
3. Temporarily irrigated areas.
4. Different seasons during the year.

E. The consideration used for each station for the following factors:

1. The days between irrigation.
2. Station run time in minutes for each irrigation event, designed to avoid runoff.
3. Number of cycle starts required for each irrigation event, designed to avoid runoff.
4. Amount of water to be applied on a monthly basis.
5. The root depth setting.
6. The plant type setting.
7. The soil type.
8. The slope factor.
9. The shade factor. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.112)

17.56.130 Maximum applied water allowance (MAWA).

A. A landscape project subject to this chapter shall not exceed the MAWA. The MAWA for a landscape project shall be determined by the following calculation:

$$MAWA = (ETo)(0.62)((ETAF \times LA) + ((1 - ETAF) \times SLA))$$

B. The abbreviations used in the equation have the following meanings:

1. MAWA = Maximum applied water allowance in gallons per year.
2. ETo = Evapotranspiration in inches per year.
3. 0.62 = Conversion factor to gallons per square foot.
4. ETAF = Evapotranspiration adjustment factor (0.55 residential and 0.45 for non-residential).
5. LA = Landscaped area includes special landscaped area in square feet.
6. SLA = Portion of the landscaped area identified as a special landscaped area in square feet. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.113)

17.56.140 Estimated total water use (ETWU).

A. An applicant for a project subject to this chapter shall calculate the ETWU for each landscaped area and the entire project using the following equation:

$$ETWU = (ETo)(0.62)(PF \times HA / IE + SLA)$$

B. The abbreviations used in the equation have the following meanings:

1. ETWU = Estimated total water use in gallons per year.
2. ETo = Evapotranspiration in inches per year.

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3. 0.62 = Conversion factor to gallons per square foot.

4. PF = Plant factor from WUCOLS.

5. HA = Hydro-zone area in square feet. Each HA shall be classified based upon the data included in the landscape and irrigation plan as high, medium, low or very low water use.

6. IE = Irrigation efficiency of the irrigation method used in the hydro-zone.

7. SLA = Special landscaped area in square feet.

C. The ETWU for a proposed project shall not exceed the MAWA. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.114)

17.56.150 Adjustment to landscaped area for non-vegetated area.

Rock and stone or pervious design features, such as decomposed granite ground cover, that are adjacent to a vegetated area may be included in the calculation of the MAWA and ETWU provided the features are integrated into the design of the landscape area and the primary purpose of the feature is decorative. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.115)

17.56.160 New single-family residential projects with limited landscaping.

The city shall provide an applicant for a new single-family residence not subject to this chapter where the landscaped area of the project is less than 2,500 square feet for rehabilitated landscapes and 500 square feet for new development with information regarding irrigation best management practices and access to the landscape design manual in order to increase public awareness of water efficient landscaping practices. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.116)

17.56.170 Cemeteries.

A. A person submitting an application for a cemetery shall include the following:

1. A concept plan, as described in SBMC 17.56.050.

2. A water conservation plan that complies with SBMC 17.56.100.

3. A landscape irrigation and maintenance schedule that complies with SBMC 17.56.220. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.117)

17.56.180 Regulations applicable to use of turf.

The following regulations shall apply to the use of turf on a project subject to this chapter:

A. Only low volume or subsurface irrigation shall be used to irrigate turf.

B. Turf shall not be allowed in the following circumstances:

1. Areas that do not have a utility as a recreational area with the exception of bio-swales required as stormwater best management practices.

2. In a median, parking lot island or parkway.

3. On a slope greater than 25 percent grade (4:1)

4. Where any dimension of the landscaped area is less than 10 feet in any direction, with the exception of bio-retention areas.

5. In a landscaped area that cannot be efficiently irrigated, such as avoiding runoff or overspray.

C. A ball field, park, golf course, cemetery and other similar use shall be designed to limit turf in any portion of the landscaped area that is not essential for the operation of the facility. Areas where turf is not essential to the operation of the facility shall be landscaped with plants with lower water use requirements than turf.

D. These regulations do not apply to the use of artificial turf. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.118)

17.56.190 Projects with model homes.

A. All model homes shall be landscaped using water efficient design practices and use signs and written information to demonstrate the principles of water efficient landscape described in this chapter.

B. Each model home shall provide an educational sign in the front yard of the model home visible and readable from the roadway that the home faces that states in capital black lettering at least two inches high on a white sign, "THIS MODEL HOME USES WATER EFFICIENT LANDSCAPING AND IRRIGATION."

C. Educational signs shall identify the water efficient landscape featuring elements such as hydro-zones, irrigation equipment, and others that contribute to the overall water efficient theme.

D. Single-family residential developments that contain a model home or homes shall provide an outdoor water smart package to all persons visiting the home(s). In lieu of providing a hard-copy of the brochure, the visitors may be sent an electronic version of it. At a minimum, the brochure shall include:

1. Information describing the water efficient features of the model(s)'s landscaping.
2. Resources for additional information regarding water efficiency in landscaping.
3. Contact information for the local water purveyor. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.119)

17.56.200 Recycled water.

A. A person who obtains a permit for a project that is subject to this chapter shall use recycled water for irrigation when tertiary treated recycled water is available from the water purveyor who supplies water to the property for which the city issues a permit.

B. A person using recycled water shall install a dual distribution system for water received from a public water purveyor. Pipes carrying recycled water shall be purple.

C. A person who uses recycled water under this section shall be entitled to an ETAF of 1.0.

D. This section does not excuse a person using recycled water from complying with all state and local laws and regulations related to recycled water use. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.120)

17.56.210 Landscaping and irrigation installation.

A person issued a landscape approval for a project, other than a single-family residence where the landscaped area of the project is less than 2,500 square feet for rehabilitated landscapes and 500 square feet for new development, shall install the approved landscaping and irrigation system before final inspection of the project. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.121)

17.56.220 Landscaping and irrigation maintenance.

A. A property owner using water on property subject to a landscape approval, other than a single-family residence with a total landscaped area less than 2,500 square feet for rehabilitated landscapes and 500 square feet for new development, shall prepare a maintenance schedule for the landscaping and irrigation system on the project. The schedule shall provide for (1) routine inspection to guard against runoff and erosion and to detect plant or irrigation system failure, (2) replacement of dead, dying and diseased vegetation, (3) discouraging the use of invasive species, (4) repairing the irrigation system and its components, (5) replenishing mulch, (6) adding soil amendment when necessary to support and maintain healthy plant growth, (7) fertilizing, pruning and weeding and maintaining turf areas, and (8) maintenance to avoid obstruction of motorists' view. The schedule shall also identify who will be responsible for maintenance.

B. After approval of a landscape plan, the owner is required to:

1. Maintain and operate the landscaping and irrigation system on the property consistent with the MAWA.
2. Replace broken or malfunctioning irrigation system components with components of the same materials and specifications, their equivalent or better.
3. Ensure that when vegetation is replaced, replacement plantings are representative of the hydro-zone in which the plants were removed and are typical of the water use requirements of the plants removed; provided, that the replaced vegetation does not result in mixing high water use plants with low water use plants in the same hydro-zone. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.122)

17.56.230 Certificate of completion.

Prior to receiving final approval for completion of the project, each applicant, other than for a single-family residence with a total landscaped area less than 2,500 square feet for rehabilitated landscapes and 500 square feet for new development, shall submit a signed certificate of completion and final documentation for the project under penalty of perjury within 10 days after installation.

A. The certificate of completion shall:

1. Be submitted on a form provided by the city;
2. Include a statement verifying that the landscaping and irrigation were installed as specified in the approved landscape and irrigation plan, all approved soil amendments were implemented, the installed irrigation system is functioning as designed and approved, the irrigation control system was properly programmed in accordance with the irrigation schedule, and the person operating the system has received all required maintenance and irrigation plans; and
3. Be signed by the professional of record for the landscape design.

B. The final submittal shall include:

1. Irrigation schedule that complies with SBMC 17.56.120, that describes the irrigation times and water usage for the project;
2. A landscaping and irrigation system maintenance schedule that complies with SBMC 17.56.220; and
3. A soil management report that complies with SBMC 17.56.080, if the applicant did not submit the report with the landscape documentation package;
4. Final "as built" plans, submitted by the professional of record, where there have been significant changes to the landscape plan during the installation of landscaping or irrigation devices or irrigation system components.
5. A diagram of the irrigation plan showing hydro-zones shall be kept with the irrigation controller for subsequent management purposes. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.123)

17.56.240 Water waste prevention.

A. No person shall use water for irrigation such that, due to runoff, low head drainage, overspray or other similar condition, water flows onto adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas.

B. No person whose landscape is subject to a landscape approval pursuant to this chapter shall apply water to the landscape in excess of the MAWA.

C. No person shall fail to maintain the irrigation system installed as part of a city approved landscape documentation package as required by this section.

D. The city may administer programs that may include water use analysis, irrigation surveys, and irrigation audits to evaluate water use. The city may use such information to provide recommendations to reduce the landscape water

use for landscapes installed prior to the adoption of the ordinance codified in this chapter that are over an acre in size and have been identified as high water users. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.124)

17.56.250 Irrigation audit.

A. An irrigation audit, prepared by a certified landscape irrigation auditor, shall be prepared and submitted by the project owner to the city for all projects approved for development by the city after December 1, 2015, with a landscape area of 2,500 square feet, with the exception of single-family residential projects.

B. The audit shall occur at the time of request for release of grading and landscape bonds and no sooner than one year after approval for occupancy.

C. The audit shall include a functional test for the following criteria: distribution uniformity, overspray and runoff control, and that water use does not exceed the MAWA once landscaping has been established. (Ord. 467, 2015)

17.56.260 Violations.

Any person violating any provision of this chapter or conditions of a permit issued pursuant to this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$1,000 or by imprisonment in the county jail for a period not to exceed six months, or by both such fine and imprisonment. In the alternative, the city may issue an administrative citation pursuant to Chapter 1.18 SBMC or violators may be subject to any other penalty authorized by law. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.125)

17.56.270 Enforcement.

A. The city manager shall administer and enforce the provisions of this chapter. Any city authorized personnel or enforcement officer may exercise any enforcement powers as set forth in the code.

B. The city may delegate to or enter into a contract with a local agency or other person to implement and administer any of the provisions of this chapter on behalf of the city. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.126)

17.56.280 Fees.

An applicant for a project subject to this chapter shall include with the application all fees established by the current fee schedule to cover the cost to review a landscape documentation package, perform an on-site inspection and review any other documents the city requires pursuant to the requirements of this chapter. (Ord. 467, 2015; Ord. 430, 2011. Formerly 17.56.127)

¹ Prior legislation: Ords. 167 and 185 § 6.

Ordinance 185 amended Title 17 in its entirety. Section 6 of that ordinance stated that this chapter was unaffected by the amendment.